

HOUSE No.



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE · BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

October 18, 2023

To the Honorable Senate and House of Representatives,

I am pleased to submit for your consideration “The Affordable Homes Act.”

The Commonwealth faces an increasing housing shortage. The demand for both market rate and affordable housing has significantly increased, and the Executive Office of Housing and Livable Communities estimates that the Commonwealth must produce 200,000 homes by 2030 to tackle the existing housing shortage and meet growing demand. This legislation, together with the increases to the Low-Income Housing Tax Credit and the Housing Development Incentive Program, enacted in An Act to improve the Commonwealth’s competitiveness, affordability, and equity, are projected to create over 40,000 new homes and preserve or support an additional over 27,000 homes over the next 5 years. An additional 114,000 market-rate homes are already completed, under construction, or in the pipeline for completion by 2030 if conditions allow them to move forward. The legislation I file today will accelerate production to reach our 200,000 home goal and help ensure that a significant portion of that goal is comprised of long-term affordable housing.

This legislation proposes not only a comprehensive funding strategy to increase the supply of housing, rehabilitate and modernize public housing, and support affordable housing opportunities for our residents across the state, but also recommends policy initiatives to address fair housing and equity concerns, provides critical protections to vulnerable tenants and authority for cities and towns to raise revenue to address their unique affordable housing needs.

The bond authorization I propose today will provide \$4.12 billion in capital authorization to support the following key initiatives:

- Investing in Public Housing
 - o \$1.5 billion in new capital authorization to make capital improvements across the over 43,000 units of state-aided public housing, including \$150 million dedicated to the decarbonization of public housing and \$15 million for accessibility upgrades.
 - o \$100 million in new capital authorization for the Public Housing Demonstration Program to encourage housing authorities to pursue innovative, market-driven strategies and leverage private resources.
- Driving Housing Production & Preservation
 - o \$800 million in new capital authorization for the Affordable Housing Trust Fund to support private affordable housing development.
 - o \$425 million in new capital authorization for the Housing Stabilization and Investment Trust Fund to support preservation, new construction, and rehabilitation projects.
 - o \$275 million in new capital authorization for sustainable and green housing initiatives:
 - Accelerate and support innovative housing strategies, including repurposing existing commercial or office space for housing development. This authorization will also support a new social housing demonstration program;
 - Develop transit-oriented housing; and
 - Support the creation and rehabilitation of sustainable and climate resilient affordable multifamily housing.
 - o \$50 million in new capital authorization for a Momentum Fund to capitalize a permanent, revolving fund and seeded through state and private investment, to accelerate development of mixed-income multifamily housing.
 - o \$175 million in new capital authorization for the HousingWorks Infrastructure Program.
 - o \$50 million in new capital authorization for the Neighborhood Stabilization Program for redevelopment, reconstruction, repair, acquisition, and rehabilitation of abandoned and foreclosed properties.
 - o \$35 million in new capital authorization for Housing Choice Grants.
 - o \$30 million in new capital authorization to support efforts to utilize state surplus land for housing and other purposes.

- o \$25 million in new capital authorization for Community Planning Grants.
- o \$20 million in new capital authorization to recapitalize the 40R Smart Growth Housing Trust Fund.
- Supporting Vulnerable Populations
 - o \$200 million in new capital authorization for the Housing Innovations Trust Fund to support innovative and alternative forms of rental housing for residents who need extensive support services.
 - o \$70 million in new capital authorization for the Facilities Consolidation Fund to create community-based housing in rental developments for clients of the Departments of Developmental Services and Mental Health.
 - o \$60 million in new capital authorization for the Home Modification Loan program to provide loans to make access and safety modifications to the homes of persons with disabilities and seniors.
 - o \$55 million in new capital authorization for the Community-Based Housing program to create housing for people with disabilities.
 - o \$50 million in new capital authorization for the Early Education and Out of School Time program to help build early education facilities that children from families with low incomes.
- Supporting Middle Income & Home Buyers
 - o \$100 million in new capital authorization to support the creation of affordable homeownership units through the CommonWealth Builder program.
 - o \$100 million in new capital authorization to support the creation of mixed-income rental housing that is affordable for households whose incomes are too high for traditional subsidized housing but are priced out by market rents.
 - o \$50 million, included within the authorization of the Affordable Housing Trust Fund, to support first-time homebuyers through the MassDREAMS program.

The bill also contains tax credit proposals to help support our community development corporations and their work creating affordable housing and livable communities and a new homeownership production tax credit program:

- Making the Community Investment Tax Credit permanent and increasing it from \$12 million to \$15 million per year to support the work of community development corporations.

- Creating a new Homeownership Production Tax Credit to award up to \$10 million in tax credits annually to produce homes affordable to moderate-income first-time homebuyers.

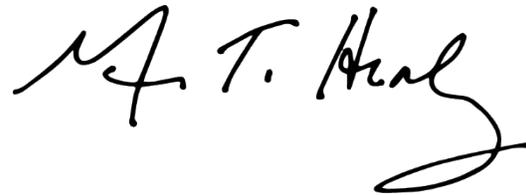
Finally, this bill includes policy proposals and statutory changes to address the Commonwealth's housing shortage, establish tenant protections, and provide additional tools for localities to address their unique affordable housing needs. Key highlights include:

- Unlocking Housing Production and Preservation
 - o Requiring the Executive Office of Housing and Livable Communities to prepare a statewide housing plan every five years.
 - o Allowing accessory dwelling units to be built by-right in single family zoning districts in all communities.
 - o Adding inclusionary zoning to the list of zoning changes municipalities may pass by simple majority.
 - o Establishing a temporary streamlined process for the disposition of land under the control of state and public agencies for housing purposes.
 - o Establishing a Supportive Housing Pool Fund to provide critical assistance for supportive housing by funding staffing, management, service coordination and other tenancy-related services not funded through other sources.
 - o Public housing reforms to allow housing authorities to operate more effectively and efficiently, reduce maintenance backlogs, and ensure resident protections.
- Supporting Local Communities
 - o Establishing a local option real estate transfer fee of 0.5% - 2% paid by the seller of property on the portion of the sale over \$1 million, or the county median home sales price, whichever is greater. Revenue raised through a real estate transfer fee would be required to be used for affordable housing purposes, including for public housing, through a community's municipal affordable housing trust fund.
 - o Creating a "seasonal communities" designation to create housing policies and resources to better serve the needs of these communities.
 - o Reforming the Commonwealth's receivership statute to permit courts to allow the sale of vacant properties in receivership to nonprofits for fair market value to rehabilitate and sell affordably to income-eligible first-time homebuyers.
- Fair Housing & Tenant Protections

- o Establishing an Office of Fair Housing within the Executive Office of Housing and Livable Communities to support and coordinate enforcement initiatives, fair housing testing and outreach/education.
- o Establishing a process for tenants to petition a court to seal eviction records.
- Commissions
 - o Establishing a Senior Housing & Age-Friendly Communities Commission to recommend policy, programs, and investments to expand the supply of sustainable, broadly affordable supportive senior housing and appropriate community supports.
 - o Establishing a commission to recommend policy, programs, and investments to expand the supply of housing affordable to households with extremely low incomes for those earning not more than 30% of the Area Median Income.

This housing bond bill will help strengthen our communities through the preservation and creation of affordable housing. I urge you to enact this legislation promptly to ensure that we meet the housing needs of the people of the Commonwealth.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. T. Healey". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Maura T. Healey,
Governor

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act the Affordable Homes Act.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the financing of the production and preservation of housing for low and moderate income citizens of the commonwealth and to make related changes in certain laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. To provide for a capital outlay program to rehabilitate, produce and
2 modernize state-aided public housing developments; to preserve the affordability and the income
3 mix of state-assisted multifamily developments; to support home ownership and rental housing
4 opportunities for low and moderate income citizens; to stem urban blight through the
5 implementation of housing stabilization programs; to support housing production for the elderly,
6 disabled and homeless; to preserve housing for the elderly, the homeless and low and moderate
7 income citizens and persons with disabilities; to develop facilities for licensed early care and
8 education and out of school time programs; and to promote economic reinvestment through the
9 funding of infrastructure improvements, the sums set forth in sections 2 to 5, inclusive for the
10 several purposes and subject to the conditions specified in this act, are hereby made available
11 subject to the laws regulating the disbursement of public funds.

12 SECTION 2.

13 EXECUTIVE OFFICE OF EDUCATION
14 *Department of Early Education and Care*

15 3000-0411. For the purpose of state financial assistance in the form of grants for the
16 Early Education and Out of School Time Capital Fund for the development of eligible facilities
17 for licensed early care and education and out of school time programs established in section 18
18 of chapter 15D of the General Laws; provided, that the department of early education and care
19 may contract with quasi-public or non-profit entities to administer the program, including, but
20 not limited to, the Community Economic Development Assistance Corporation established in
21 chapter 40H of the General Laws; provided further, that the department may develop or finance
22 eligible facilities, may enter into subcontracts with nonprofit organizations established pursuant
23 to chapter 180 of the General Laws or organizations in which such nonprofit corporations have a
24 controlling financial or managerial interest; provided further, that the department shall consider:
25 (i) a balanced geographic plan for such eligible facilities when issuing the funding commitments;
26 and (ii) funding large group and school age child care centers, as defined by the department of
27 early education and care; provided further, that the services made available pursuant to such
28 grants shall not be construed as a right or entitlement for any individual or class of persons to the
29 benefits financing; provided further, that no expenditure shall be made from this item without the
30 prior approval of the secretary of administration and finance; and provided further, that eligibility
31 shall be established by regulations promulgated by the department pursuant to chapter 30A of the
32 General Laws for the implementation, administration and enforcement of this
33 item..... \$50,000,000

34 SECTION 3.

35 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
36 *Office of the Secretary*

37 1100-2518. For costs associated with planning and studies, the preparation of plans and
38 specifications, demolition, remediation, construction and relocation of utilities, construction and
39 reconstruction of infrastructure, predevelopment, and site preparation; provided, that any funds
40 received by a state agency in connection with projects funded from this item may be retained by
41 the executive office for administration and finance and expended for the purposes of the project,
42 without further appropriation, in addition to the amounts appropriated in this item; provided
43 further, that where appropriate, the commissioner of capital asset management and maintenance
44 may transfer funds authorized herein in accordance with a delegation of project control and
45 supervision process pursuant to section 5 of chapter 7C of the General Laws or for the
46 capitalization of the surplus real property disposition fund established in section 106; and
47 provided further, that funds from this item shall be distributed in furtherance of affordable
48 housing production goals and availability of sites suitable for construction or expansion of
49 housing opportunities in the commonwealth in consultation with the secretary of housing and
50 livable communities..... \$30,000,000

51 SECTION 4.

52 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

53 7004-0069. For a program of loans or grants to assist homeowners or tenants with a
54 household member with blindness or severe disabilities in making modifications to their primary
55 residence for the purpose of improving accessibility or to allow those individuals to live
56 independently in the community or for construction costs to allow for the building of an

57 accessory unit, which shall mean a unit constructed as an additional dwelling unit separate from
58 the primary dwelling unit, for a person with disabilities or an elder needing assistance with
59 activities of daily living; provided, that not more than 10 per cent shall be used for grants to
60 assist landlords seeking to make modifications for a current or prospective tenant with
61 disabilities, who but for such a grant would be unable to maintain or secure permanent housing;
62 provided further, that the secretary of housing and livable communities and the secretary of
63 health and human services shall take all steps necessary to minimize the program's
64 administrative costs; provided further, that the secretary of health and human services may
65 contract with quasi-public or non-profit entities to administer the program, including, but not
66 limited to, the Community Economic Development Assistance Corporation established in
67 chapter 40H of the General Laws; provided further, that the program shall be available pursuant
68 to income eligibility standards approved by the secretary of health and human services; provided
69 further, that the repayment of the loans may be delayed until the sale of the principal residence
70 by the homeowner; provided further, that persons residing in a development covered by section 4
71 of chapter 151B of the General Laws shall not be eligible for the program unless the owner can
72 show that the modification is an undue financial burden or that the landlord is participating in the
73 grant program to maintain or secure housing for a tenant with disabilities; provided further, that
74 the secretary of health and human services shall consult with the Massachusetts commission for
75 the blind and the Massachusetts rehabilitation commission to develop the rules, regulations and
76 guidelines for the program; provided further, that nothing in this item shall give rise to
77 enforceable legal rights in any party or an enforceable entitlement to services; provided further,
78 that funds expended from this item shall, to the maximum extent feasible be prioritized for
79 projects that comply with decarbonization and sustainability standards; provided, that

80 prioritization will be determined through objective scoring criteria in the Qualified Allocation
81 Plan developed by the executive office of housing and livable communities; provided further,
82 that for new construction projects, the applicable standards for prioritization are set forth in the
83 commonwealth’s Opt-in Specialized Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and
84 Enterprise Green Communities standards; provided further, that any project proposing less than
85 full compliance with said standards shall provide detailed analysis demonstrating why full
86 compliance would render the project infeasible notwithstanding utilization of all available
87 federal and state incentives, including rebates and tax credits; provided further, that for retrofits
88 of existing units, prioritization shall be given to projects that include energy efficiency and
89 electrification decarbonization measures, including, but not limited to electric or ground source
90 heat pumps, net-zero developments, Passive House or equivalent energy efficiency certification,
91 and all-electric buildings and projects that incorporate green, sustainable and climate-resilient
92 elements; provided further, that projects that include lower embodied carbon construction
93 materials and methods shall be further prioritized; and provided further, that the secretary of
94 health and human services shall submit quarterly reports to the house and senate committees on
95 ways and means, the house and senate committees on bonding, capital expenditures and state
96 assets and the joint committee on housing detailing the status of the program established in this
97 item..... \$60,000,000

98 7004-0070. For state financial assistance in the form of loans for the development of
99 community-based housing or supportive housing for individuals with mental illness and
100 individuals with intellectual disabilities; provided, that the loan program shall be administered by
101 the executive office of housing and livable communities through contracts with one or more of
102 the following agencies: the Massachusetts Development Finance Agency established in chapter

103 23G of the General Laws, the Community Economic Development Assistance Corporation
104 established in chapter 40H of the General Laws, operating agencies established pursuant to
105 chapter 121B of the General Laws and the Massachusetts Housing Finance Agency established
106 in chapter 708 of the acts of 1966; provided further, that those agencies may develop or finance
107 community-based housing or supportive housing or may enter into subcontracts with nonprofit
108 organizations, established pursuant to chapter 180 of the General Laws, or organizations in
109 which such nonprofit corporations have a controlling financial or managerial interest or for-profit
110 organizations; provided, however, that preference for the subcontracts shall be given to nonprofit
111 organizations; provided further, that the executive office shall consider a balanced geographic
112 plan for such community-based housing or supportive housing when issuing the loans; provided
113 further, that the executive office shall consider development of a balanced range of housing
114 models by prioritizing funds for integrated housing as defined by the appropriate housing and
115 service agencies including, but not limited to, the executive office of housing and livable
116 communities, the department of mental health and the department of developmental services, in
117 consultation with relevant and interested clients, clients' families, advocates and other parties as
118 necessary; provided further, that loans issued pursuant to this item shall: (i) not exceed 50 per
119 cent of the financing of the total development costs; (ii) not be issued unless a contract or
120 agreement for the use of the property for such housing provides for repayment to the
121 commonwealth at the time of disposition of the property if such property will no longer be
122 subject to a recorded deed restriction pursuant to clause (iii) of this item; provided, however, that
123 such repayment shall be in an amount equal to the commonwealth's proportional contribution
124 from the Facilities Consolidation Fund to the cost of the development through payments made by
125 the state agency making the contract; provided, further, that such repayment shall not be required

126 if the executive office of housing and livable communities, in consultation with the department
127 of mental health and the department of developmental services, determines that relevant clients
128 will be better served at an alternative property and the proceeds from the disposition of the
129 property will be used, to the extent necessary for replacement of the housing at the property, for
130 one or more of the following purposes: (A) to acquire such alternative property and (B) to
131 rehabilitate such alternative property; (iii) not be issued unless the contract or agreement for the
132 use of the property for the purposes of such housing provides for the recording of a deed
133 restriction in the registry of deeds or the registry district of the land court of the county in which
134 the real property is located, for the benefit of the executive office and the departments, running
135 with the land, that the land shall be used to provide community-based housing or supportive
136 housing for eligible individuals as determined by the department of mental health and the
137 department of developmental services; provided, however, that the property shall not be released
138 from such restriction unless: (A) the balance of the principal and interest for the loan has been
139 repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of
140 housing and livable communities has determined, pursuant to clause (ii) of this item, that
141 repayment to the commonwealth is not required; (iv) be issued for a term not to exceed 30 years,
142 during which time repayment may be deferred by the loan issuing authority; provided, however,
143 that if on the date the loans become due and payable to the commonwealth, an outstanding
144 balance exists and if, on such date, the executive office, in consultation with the executive office
145 of health and human services, determines that there still exists a need for such housing and that
146 there is continued funding available for the provision of services to such development, the
147 executive office may, by agreement with the owner of the development, extend the loans for
148 such periods, each period not to exceed 10 years, as the executive office shall determine;

149 provided further, that the project, whether at the original property, or at an alternative property
150 pursuant to clause (ii) of this item, shall remain affordable housing for the duration of the loan
151 term, including any extension thereof, as set forth in the contract or agreement entered into by
152 the executive office; provided further, that in the event the terms of repayment detailed in this
153 item would cause a project authorized by this item to become ineligible to receive federal
154 financial assistance which would otherwise assist in the development of that project, the
155 executive office may waive the terms of repayment which would cause the project to become
156 ineligible; and (v) have interest rates fixed at a rate, to be determined by the executive office, in
157 consultation with the state treasurer; provided further, that the loans shall be provided only for
158 projects conforming to this item; provided further, that the loans shall be issued in accordance
159 with a facilities consolidation plan prepared by the secretary of health and human services,
160 reviewed and approved by the executive office and filed with the secretary of administration and
161 finance, the house and senate committees on ways and means, the house and senate committees
162 on bonding, capital expenditures and state assets and the joint committee on housing; provided
163 further, that no expenditure shall be made from this item without the prior approval of the
164 secretary of administration and finance; provided further, that the executive office of housing and
165 livable communities, the department of mental health and the Community Economic
166 Development Assistance Corporation may identify appropriate financing mechanisms and
167 guidelines for grants or loans from this item to promote private development to produce housing,
168 to provide for independent integrated living opportunities, to write down building and operating
169 costs and to serve households at or below 15 per cent of area median income for the benefit of
170 department of mental health clients; provided further, that funds expended from this item shall,
171 to the maximum extent feasible, be prioritized for projects that comply with decarbonization and

172 sustainability standards; provided, that prioritization will be determined through objective
173 scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and
174 livable communities; provided further, that for new construction projects, the applicable
175 standards for prioritization are set forth in the commonwealth's Opt-in Specialized Energy Code
176 set forth at 225 CMR §§ 22.00 and 23.00 and Enterprise Green Communities standards; provided
177 further, that any project proposing less than full compliance with said standards shall provide
178 detailed analysis demonstrating why full compliance would render the project infeasible
179 notwithstanding utilization of all available federal and state incentives, including rebates and tax
180 credits; provided further, that for retrofits of existing units, prioritization shall be given to
181 projects that include energy efficiency and electrification decarbonization measures, including,
182 but not limited to electric or ground source heat pumps, net-zero developments, Passive House or
183 equivalent energy efficiency certification, and all-electric buildings and projects that incorporate
184 green, sustainable and climate-resilient elements; provided further, that projects that include
185 lower embodied carbon construction materials and methods shall be further prioritized; provided
186 further, that not more than \$10,000,000 may be expended from this item for a pilot program of
187 community-based housing or supportive housing loans to serve mentally ill homeless individuals
188 in the current or former care of the department of mental health; provided further, that in
189 implementing the pilot program, the executive office shall consider a balanced geographic plan
190 when establishing community-based residences; provided further, that the housing services made
191 available pursuant to such loans shall not be construed as a right or an entitlement for any
192 individual or class of persons to the benefits of the pilot program; provided further, that
193 eligibility for the pilot program shall be established by regulations promulgated by the executive
194 office; and provided further, that the executive office shall promulgate regulations under chapter

195 30A of the General Laws to implement, administer and enforce this item, consistent with the
196 facilities consolidation plan prepared by the secretary of health and human services and after
197 consultation with the secretary and the commissioner of capital asset management and
198 maintenance.....\$70,000,000

199 7004-0071. For state financial assistance in the form of loans for the development and
200 redevelopment of community-based housing or supportive housing for persons with disabilities
201 who are institutionalized or at risk of being institutionalized and who are not eligible for housing
202 developed pursuant to item 7004-0070; provided, that the loan program shall be administered by
203 the executive office of housing and livable communities, through contracts with the
204 Massachusetts Development Finance Agency established in chapter 23G of the General Laws,
205 the Community Economic Development Assistance Corporation established in chapter 40H of
206 the General Laws, operating agencies established pursuant to chapter 121B of the General Laws
207 and the Massachusetts Housing Finance Agency established in chapter 708 of the acts of 1966;
208 provided further, that the agencies may develop or finance community-based housing or
209 supportive housing or may enter into subcontracts with nonprofit organizations established
210 pursuant to chapter 180 of the General Laws or organizations in which such nonprofit
211 corporations have a controlling financial or managerial interest or for-profit organizations;
212 provided, however, that preference for such subcontracts shall be given to nonprofit
213 organizations; provided further, that the executive office shall consider a balanced geographic
214 plan for such community-based housing or supportive housing when issuing the loans; provided
215 further, that all housing developed with these funds shall be integrated housing as defined by the
216 appropriate state housing and service agencies including, but not limited to, the executive office,
217 the executive office of health and human services and the Massachusetts rehabilitation

218 commission in consultation with relevant and interested clients, clients' families, advocates and
219 other parties as necessary; provided further, that loans issued pursuant to this item shall: (i) not
220 exceed 50 per cent of the financing of the total development costs; (ii) not be issued unless a
221 contract or agreement for the use of the property for the purposes of such housing provides for
222 repayment to the commonwealth at the time of disposition of the property if such property will
223 no longer be subject to a recorded deed restriction pursuant to clause (iii) of this item; provided,
224 however, that such repayment shall be in an amount equal to the commonwealth's proportional
225 contribution from community-based housing to the cost of the development through payments
226 made by the state agency making the contract; provided, further, that such repayment shall not be
227 required if the executive office of housing and livable communities, in consultation with the
228 Massachusetts rehabilitation commission, determines that relevant clients will be better served at
229 an alternative property and the proceeds from the disposition of the property will be used, to the
230 extent necessary for replacement of the housing at the property, for one or more of the following
231 purposes: A) to acquire such alternative property and (B) to rehabilitate such alternative
232 property; (iii) not be issued unless a contract or agreement for the use of the property for the
233 purposes of such community-based housing or supportive housing provides for the recording of a
234 deed restriction in the registry of deeds or the registry district of the land court of the county in
235 which the real property is located, for the benefit of the executive office, running with the land,
236 that the land shall be used to provide community-based housing or supportive housing for
237 eligible individuals as determined by the Massachusetts rehabilitation commission or other
238 agency of the executive office of health and human services; provided, however, that the
239 property shall not be released from such restrictions unless: (A) the balance of the principal and
240 interest for the loan has been repaid in full; (B) a mortgage foreclosure deed has been recorded;

241 or (C) the executive office of housing and livable communities has determined, pursuant to
242 clause (ii) of this item, that repayment to the commonwealth is not required; (iv) be issued for a
243 term not to exceed 30 years during which time repayment may be deferred by the loan issuing
244 authority; provided, however, that if on the date the loans become due and payable to the
245 commonwealth, an outstanding balance exists and if, on that date, the executive office, in
246 consultation with the executive office of health and human services, determines that there still
247 exists a need for such housing, the executive office may, by agreement with the owner of the
248 development, extend the loans for such periods, each period not to exceed 10 years, as the
249 executive office shall determine; provided further, that the project, whether at the original
250 property, or at an alternative property pursuant to clause (ii) of this item, shall continue to remain
251 affordable housing for the duration of the loan term, including any extensions thereof, as set
252 forth in the contract or agreement entered into by the executive office; provided, however, that in
253 the event the terms of repayment detailed in this item would cause a project authorized by this
254 item to become ineligible to receive federal financial assistance, which would otherwise assist in
255 the development of that project, the executive office may waive the terms of repayment which
256 would cause the project to become ineligible; and (v) have interest rates fixed at a rate, to be
257 determined by the executive office, in consultation with the state treasurer; provided further, the
258 loans shall be provided only for projects conforming to this item; provided further, that the loans
259 shall be issued in accordance with an enhancing community-based services plan prepared by the
260 secretary of health and human services, in consultation with the executive office and filed with
261 the secretary of administration and finance, the house and senate committees on ways and means,
262 the house and senate committees on bonding, capital expenditures and state assets and the joint
263 committee on housing; provided further, that funds expended from this item shall, to the

264 maximum extent feasible, be prioritized for projects that comply with decarbonization and
265 sustainability standards; provided, that prioritization will be determined through objective
266 scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and
267 livable communities; provided further, that for new construction projects, the applicable
268 standards for prioritization are set forth in the commonwealth’s Opt-in Specialized Energy Code
269 set forth at 225 CMR §§ 22.00 and 23.00 and Enterprise Green Communities standards; provided
270 further, that any project proposing less than full compliance with said standards shall provide
271 detailed analysis demonstrating why full compliance would render the project infeasible
272 notwithstanding utilization of all available federal and state incentives, including rebates and tax
273 credits; provided further, that for retrofits of existing units, prioritization shall be given to
274 projects that include energy efficiency and electrification decarbonization measures, including,
275 but not limited to electric or ground source heat pumps, net-zero developments, Passive House or
276 equivalent energy efficiency certification, and all-electric buildings and projects that incorporate
277 green, sustainable and climate-resilient elements; provided further, that projects that include
278 lower embodied carbon construction materials and methods shall be further prioritized; provided
279 further, that no expenditure shall be made from this item without the prior approval of the
280 secretary of administration and finance; and provided further, that the executive office shall
281 promulgate regulations pursuant to chapter 30A of the General Laws for the implementation,
282 administration and enforcement of this item, consistent with the enhancing community-based
283 services plan prepared by the secretary of health and human services after consultation with the
284 secretary and the commissioner of capital asset management and
285 maintenance.....\$55,000,000

286 7004-0072. For the capitalization of the Affordable Housing Trust Fund established in
287 section 2 of chapter 121D of the General Laws; provided, that funds expended from this item
288 shall, to the maximum extent feasible, be prioritized for projects that comply with
289 decarbonization and sustainability standards; provided, that prioritization will be determined
290 through objective scoring criteria in the Qualified Allocation Plan developed by the executive
291 office of housing and livable communities; provided further, that for new construction projects,
292 the applicable standards for prioritization are set forth in the commonwealth’s Opt-in Specialized
293 Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and Enterprise Green Communities
294 standards; provided further, that any project proposing less than full compliance with said
295 standards shall provide detailed analysis demonstrating why full compliance would render the
296 project infeasible notwithstanding utilization of all available federal and state incentives,
297 including rebates and tax credits; provided further, that for retrofits of existing units,
298 prioritization shall be given to projects that include energy efficiency and electrification
299 decarbonization measures, including, but not limited to electric or ground source heat pumps,
300 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
301 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
302 provided further, that projects that include lower embodied carbon construction materials and
303 methods shall be further prioritized; and provided further, that up to \$50,000,000 of the funds
304 made available in this item may be used to create and maintain opportunities for homeownership
305 for first time homebuyers; provided, that funds shall be expended to create and enhance access to
306 homeownership in order to foster long-term benefits for housing security, health and economic
307 outcomes and to address a systemic homeownership gap in socially disadvantaged communities
308 and among targeted populations; provided further, that funds may be expended for down

309 payment assistance programs, mortgage insurance programs and mortgage interest subsidy
310 programs administered by the Massachusetts Housing Finance Agency and the Massachusetts
311 Housing Partnership; and provided further, that funds may be expended to first-time homebuyer
312 counseling and financial literacy programs;.....\$800,000,000

313 7004-0073. For state financial assistance in the form of grants or loans for the Housing
314 Stabilization and Investment Trust Fund established in section 2 of chapter 121F of the General
315 Laws and awarded only pursuant to the criteria established in said section 2 of said chapter 121F;
316 provided, that not less than 25 per cent shall be used to fund projects which preserve and produce
317 housing for families and individuals with incomes of not more than 30 per cent of the area
318 median income, as defined by the United States Department of Housing and Urban
319 Development; provided further, that if the executive office of housing and livable communities
320 has not spent the amount authorized under the bond cap for this program, at the end of each year
321 following the effective date of this act, the executive office may award the remaining funds to
322 projects that serve households earning more than 30 per cent of the area median income, as
323 defined by the United States Department of Housing and Urban Development; provided further,
324 that funds expended from this item shall, to the maximum extent feasible, be prioritized for
325 projects that comply with decarbonization and sustainability standards; provided, that
326 prioritization will be determined through objective scoring criteria in the Qualified Allocation
327 Plan developed by the executive office of housing and livable communities; provided further,
328 that for new construction projects, the applicable standards for prioritization are set forth in the
329 commonwealth's Opt-in Specialized Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and
330 Enterprise Green Communities standards; provided further, that any project proposing less than
331 full compliance with said standards shall provide detailed analysis demonstrating why full

332 compliance would render the project infeasible notwithstanding utilization of all available
333 federal and state incentives, including rebates and tax credits; provided further, that for retrofits
334 of existing units, prioritization shall be given to projects that include energy efficiency and
335 electrification decarbonization measures, including, but not limited to electric or ground source
336 heat pumps, net-zero developments, Passive House or equivalent energy efficiency certification,
337 and all-electric buildings and projects that incorporate green, sustainable and climate-resilient
338 elements; provided further, that projects that include lower embodied carbon construction
339 materials and methods shall be further prioritized;.....\$425,000,000

340 7004-0074. For state financial assistance in the form of grants for projects undertaken
341 pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided, that contracts
342 entered into by the executive office of housing and livable communities for those projects may
343 include, but shall not be limited to, projects providing for renovation, remodeling, reconstruction,
344 redevelopment and hazardous material abatement, including asbestos and lead paint, and for
345 compliance with state codes and laws and for adaptations necessary for compliance with the
346 Americans with Disabilities Act of 1990, the provision of day care facilities, learning centers and
347 teen service centers and the adaptation of units for families and persons with disabilities;
348 provided further, that priority shall be given to projects undertaken for the purpose of compliance
349 with state codes and laws or for other purposes related to the health and safety of residents;
350 provided further, that funds may be expended from this item to make such modifications to
351 congregate housing units as may be necessary to increase the occupancy rate of those units;
352 provided further, that the executive office shall continue to fund a program to provide predictable
353 funds to be used flexibly by housing authorities for capital improvements to extend the useful
354 life of state-assisted public housing; provided further, that not less than 25 per cent of the funds

355 made available in this item shall be used to fund projects which preserve or produce housing for
356 families and individuals with incomes of not more than 30 per cent of the area median income, as
357 defined by the United States Department of Housing and Urban Development; provided further,
358 that not less than \$15,000,000 of the funds made available in this item shall be used to increase
359 accessibility of state-aided public housing for persons with disabilities; provided further, that up
360 to \$150,000,000 of the funds made available in this item may be used to fund projects that
361 include sustainability initiatives to reduce greenhouse gas emissions and make progress towards
362 decarbonization through energy efficiency and electrification decarbonization measures,
363 including, but not limited to electric or ground source heat pumps, net-zero developments,
364 Passive House or equivalent energy efficiency certification, and all-electric buildings and
365 projects that incorporate green, sustainable and climate-resilient elements; provided further, that
366 projects that include lower embodied carbon construction materials and methods shall be further
367 prioritized; and provided further, that funds made available in this item shall, to the extent
368 feasible, be used in accordance with the Massachusetts State Hazard Mitigation and Climate
369 Adaptation Plan... ..\$1,500,000,000

370 7004-0075. For state financial assistance in the form of grants for a demonstration
371 program, administered by the executive office of housing and livable communities to
372 demonstrate cost effective revitalization methods for state-aided family and elderly-disabled
373 public housing that seek to reduce the need for future state modernization funding; provided, that
374 housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of
375 1948, chapter 667 of the acts of 1954, chapter 705 of the acts of 1966, chapter 689 of the acts of
376 1974 or chapter 167 of the acts of 1987 shall be eligible to participate in the demonstration
377 program; provided further, that the executive office may exempt a recipient of demonstration

378 grants from the requirements of chapters 7C and 121B of the General Laws upon a showing by
379 the recipient that such exemptions are necessary to accomplish the effective revitalization of
380 public housing and shall not adversely affect public housing residents or applicants of any
381 income who are otherwise eligible; provided further, that the executive office may provide to
382 recipients of demonstration grants such additional regulatory relief as may be required to further
383 the objectives of the demonstration program; provided further, that funds may be made available
384 for technical assistance provided by the Community Economic Development Assistance
385 Corporation established in chapter 40H of the General Laws or the Massachusetts Housing
386 Partnership Fund established in section 35 of chapter 405 of the acts of 1985 to recipients of
387 demonstration grants and for evaluation of the demonstration; provided further, that the
388 executive office's regulations for the implementation, administration and enforcement of this
389 item shall: (i) require that selected housing authorities demonstrate innovative and replicable
390 solutions to the management, marketing or capital needs of state-aided family and elderly-
391 disabled public housing developments and contribute to the continued viability of the housing as
392 a resource for public housing eligible residents; (ii) encourage proposals that demonstrate
393 regional collaborations among housing authorities; and (iii) encourage proposals that propose
394 new affordable housing units on municipally-owned land, underutilized public housing sites or
395 other land owned by the housing authority; provided further, that funds expended from this item
396 shall, to the maximum extent feasible, be prioritized for projects that comply with
397 decarbonization and sustainability standards; provided, that prioritization will be determined
398 through objective scoring criteria in the Qualified Allocation Plan developed by the executive
399 office of housing and livable communities; provided further, that for new construction projects,
400 the applicable standards for prioritization are set forth in the commonwealth's Opt-in Specialized

401 Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and Enterprise Green Communities
402 standards; provided further, that any project proposing less than full compliance with said
403 standards shall provide detailed analysis demonstrating why full compliance would render the
404 project infeasible notwithstanding utilization of all available federal and state incentives,
405 including rebates and tax credits; provided further, that for retrofits of existing units,
406 prioritization shall be given to projects that include energy efficiency and electrification
407 decarbonization measures, including, but not limited to electric or ground source heat pumps,
408 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
409 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
410 provided further, that projects that include lower embodied carbon construction materials and
411 methods shall be further prioritized;\$100,000,000

412 7004-0076. For state financial assistance in the form of grants or loans for the Housing
413 Innovations Trust Fund established in section 2 of chapter 121E of the General Laws; provided,
414 that not less than 25 per cent of the funds made available in this item shall be used to fund
415 projects which preserve and produce housing for families and individuals with incomes of not
416 more than 30 per cent of the area median income, as defined by the United States Department of
417 Housing and Urban Development; and provided further, that funds expended from this item
418 shall, to the maximum extent feasible, be prioritized for projects that comply with
419 decarbonization and sustainability standards; provided, that prioritization will be determined
420 through objective scoring criteria in the Qualified Allocation Plan developed by the executive
421 office of housing and livable communities; provided further, that for new construction projects,
422 the applicable standards for prioritization are set forth in the commonwealth’s Opt-in Specialized
423 Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and Enterprise Green Communities

424 standards; provided further, that any project proposing less than full compliance with said
425 standards shall provide detailed analysis demonstrating why full compliance would render the
426 project infeasible notwithstanding utilization of all available federal and state incentives,
427 including rebates and tax credits; provided further, that for retrofits of existing units,
428 prioritization shall be given to projects that include energy efficiency and electrification
429 decarbonization measures, including, but not limited to electric or ground source heat pumps,
430 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
431 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
432 provided further, that projects that include lower embodied carbon construction materials and
433 methods shall be further prioritized.....\$200,000,000

434 7004-0077. For a local capital projects grant program to support and encourage
435 implementation of the housing choice designation for communities that have demonstrated
436 housing production and adoption of housing best practices, including a grant program to assist
437 MBTA communities in complying with the multi-family zoning requirement in section 3A of
438 chapter 40A of the General Laws.....\$35,000,000

439 7004-0078. For state financial assistance in the form of no interest loans, grants,
440 subsidies, credit enhancements and other financial assistance for innovative, sustainable and
441 green housing initiatives; provided that entities eligible to receive financial assistance under this
442 item shall include qualified for-profit or non-profit developers, community development
443 corporations, local housing authorities, community action agencies, community-based or
444 neighborhood-based non-profit housing organizations, other non-profit organizations and for-
445 profit entities, and governmental bodies; provided further, that funds may be used to assist units
446 occupied by and affordable to persons with incomes not more than 110 per cent of the area

447 median income, as defined by the United States Department of Housing and Urban Development
448 with priority given to projects that provide higher and deeper levels of affordability; provided
449 further, that not less than 25 per cent of the occupants of housing in projects assisted by this item
450 shall be persons whose income is not more than 60 per cent of the area median income, as
451 defined by the United States Department of Housing and Urban Development; provided further,
452 that financial assistance shall be awarded in a manner that promotes geographic, social, racial
453 and economic equity; provided further, that funds expended from this item shall, to the
454 maximum extent feasible, be prioritized for projects that comply with decarbonization and
455 sustainability standards; provided, that prioritization will be determined through objective
456 scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and
457 livable communities; provided further, that for new construction projects, the applicable
458 standards for prioritization are set forth in the commonwealth's Opt-in Specialized Energy Code
459 set forth at 225 CMR §§ 22.00 and 23.00 and Enterprise Green Communities standards; provided
460 further, that any project proposing less than full compliance with said standards shall provide
461 detailed analysis demonstrating why full compliance would render the project infeasible
462 notwithstanding utilization of all available federal and state incentives, including rebates and tax
463 credits; provided further, that for retrofits of existing units, prioritization shall be given to
464 projects that include energy efficiency and electrification decarbonization measures, including,
465 but not limited to electric or ground source heat pumps, net-zero developments, Passive House or
466 equivalent energy efficiency certification, and all-electric buildings and projects that incorporate
467 green, sustainable and climate-resilient elements; provided further, that projects that include
468 lower embodied carbon construction materials and methods shall be further prioritized; and
469 provided further, that financial assistance under this item shall be for the following purposes: (a)

470 to accelerate and support innovative strategies for the production of affordable and mixed-
471 income housing developments and other market transformation activities, including but not
472 limited to: (i) re-use of commercial space, office space, and underutilized state- or locally-
473 controlled land or assets, including, but not limited to, brownfield or greyfield sites, or other
474 property that the secretary of housing and livable communities has determined is suitable for
475 sustainable residential or mixed-use development, (ii) modular construction, manufactured
476 housing, and other innovative housing models that offer development or operating cost savings,
477 utilize advanced and applied technologies, provide efficiencies to help accelerate production and
478 that incorporate energy efficiency or energy conservation into their design, construction or
479 rehabilitation, (iii) accessory dwelling units and co-housing models; and (v) other market
480 transformation efforts to be determined by the executive office of housing and livable
481 communities, which may include, but not be limited to, any pilot program or demonstration
482 program that is consistent with the purposes of this item; provided, that such strategies may
483 include a mixed income social housing pilot program in which a local or regional housing
484 authority or other public or quasi-public entity maintains majority ownership or control of such
485 housing; (b) to accelerate and support the creation of low-income and moderate-income
486 residential housing units and mixed use developments that include both residential housing units
487 and commercial or retail space in close proximity to transit nodes or within neighborhood
488 commercial areas including, but not limited to, those areas designated as main street areas;
489 provided, that the program shall be administered to: (i) maximize the amount of affordable
490 residential and mixed-use space in close proximity to transit nodes or within neighborhood
491 commercial areas, resulting in higher density, compact development and pedestrian-friendly,
492 inclusive and connected neighborhoods; (ii) increase mass transit ridership; (iii) decrease traffic

493 congestion and reduce greenhouse gas emissions; and (iv) increase economic opportunity for
494 disadvantaged populations by making it easier for residents of affordable housing to access
495 public transportation, including transportation supporting commutes to employment centers;
496 provided further, that the program may be administered to include projects which have
497 residential units above commercial space located in areas characterized by a predominance of
498 commercial land uses, a high daytime or business population or a high concentration of daytime
499 traffic and parking, provided, that the financial subsidy for the commercial portion of a project
500 shall not exceed the lower of 25 per cent of the total development cost of the commercial portion
501 of the project or \$1,000,000; provided further, that the executive office may provide financial
502 support to non-profit and for-profit developers that enter into binding agreements to set aside
503 residential units in existing market-rate, transit-oriented housing, over and above any units
504 required to be set aside under local zoning or approvals, for rent or sale to income-qualified
505 households at affordable rents or sale prices, as applicable; (c) to accelerate and support the
506 creation and preservation of sustainable and climate resilient affordable multifamily housing;
507 provided, that such financial assistance shall be made to: (i) incorporate efficient, sustainable
508 and climate resilient design practices in affordable residential development to support positive
509 climate mitigation outcomes; (ii) reduce greenhouse gas emissions and reliance on fossil fuels;
510 (iii) increase resiliency of existing housing developments to mitigate impacts of climate change,
511 including flooding and extreme temperatures; and (iv) enhance emergency preparedness,
512 including sustainable means of power generation to allow for sheltering vulnerable populations
513 in place. Provided, that financial assistance provided pursuant to clause (a) or clause (c) may be
514 administered by the executive office of housing and livable communities through contracts with
515 the Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts

516 of 1985, or the Massachusetts Housing Finance Agency, established in chapter 708 of the acts of
517 1966, or both, which may, as the case may be, directly offer financial assistance for the purposes
518 set forth herein or may enter into subcontracts with non-profit organizations, established
519 pursuant to chapter 180 of the General Laws for those purposes; provided further, that financial
520 assistance provided pursuant to clause (b) may be administered by said executive office through
521 contracts with said Massachusetts Housing Partnership Fund; and provided further, that the
522 executive office of housing and livable communities or an administering agency under contract
523 with said executive office may establish additional program requirements through regulations or
524 policy
525 guidelines.....\$275,000,000

526 7004-0079. For the Smart Growth Housing Trust Fund established in section 35AA of
527 chapter 10 of the General Laws.....\$20,000,000

528 7004-0080. For the Middle-Income Housing Fund administered by the Massachusetts
529 Housing Finance Agency.....\$100,000,000

530 7004-0081. For a reserve to support the production of for-sale, below market housing to
531 expand homeownership opportunities for first-time homebuyers and socially and economically
532 disadvantaged individuals ; provided, that grants and loans to developers shall be used to
533 facilitate production of affordable homeownership units for households earning up to 120 per
534 cent of the area median income; provided further, that projects with units restricted to households
535 earning not more than 80 per cent of the area median income shall receive preference; provided
536 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized
537 for projects that comply with decarbonization and sustainability standards; provided, that

538 prioritization will be determined through objective scoring criteria in the Qualified Allocation
539 Plan developed by the executive office of housing and livable communities; provided further,
540 that for new construction projects, the applicable standards for prioritization are set forth in the
541 commonwealth’s Opt-in Specialized Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and
542 Enterprise Green Communities standards; provided further, that any project proposing less than
543 full compliance with said standards shall provide detailed analysis demonstrating why full
544 compliance would render the project infeasible notwithstanding utilization of all available
545 federal and state incentives, including rebates and tax credits; provided further, that for retrofits
546 of existing units, prioritization shall be given to projects that include energy efficiency and
547 electrification decarbonization measures, including, but not limited to electric or ground source
548 heat pumps, net-zero developments, Passive House or equivalent energy efficiency certification,
549 and all-electric buildings and projects that incorporate green, sustainable and climate-resilient
550 elements; provided further, that projects that include lower embodied carbon construction
551 materials and methods shall be further prioritized; provided further, that the minimum number of
552 units for qualifying projects under the program shall be 10 units; provided further, that funds in
553 this item shall be distributed in a manner that promotes geographic equity; and provided further,
554 that grants may include a requirement for matching funds; provided further, that the executive
555 office of housing and livable communities may enter into such contracts and agreements with the
556 Massachusetts Housing Finance Agency, or such other public agencies and instrumentalities as it
557 may determine, for the administration of such program; and provided further, that not more than
558 5 per cent of this item may be used for the reasonable costs of administering the
559 program.....\$100,000,000

560 7002-0082. For grants and technical assistance to be made to municipalities and regional
561 applicants to support planning and locally-driven initiatives related to community development,
562 housing production, workforce training and economic opportunity, childcare and early education
563 initiatives and climate resilience initiatives, including nature-based solutions projects, that
564 incorporate these elements, across the commonwealth within individual communities, regions or
565 a defined subset of communities therein; provided, that funds may be expended for culturally
566 competent and multi-lingual technical assistance and training to small businesses; provided
567 further, that preference for these funds shall be given to businesses located in low- or moderate-
568 income areas and owned by women, veterans, minorities or immigrants; and provided further,
569 that grants shall be awarded in a manner that promotes geographic equity.....\$25,000,000

570 7004-0083. For the HousingWorks infrastructure program established by section 27½ of
571 chapter 23B of the General Laws.....\$175,000,000

572 7004-0085. For state financial assistance to cities and towns or agencies, boards,
573 commissions, authorities, departments or instrumentalities thereof or community development
574 corporations or non-profit organizations to assist in the revitalization of neighborhoods and
575 communities with properties in blighted or substandard conditions by subsidizing the purchase
576 price, borrowing costs or costs of demolition or renovation of up to 50 units of residential rental
577 housing or 1 to 4 units of home ownership residential housing that have been cited for building
578 or sanitary code violations or that are subject to cancellation of commercial property insurance
579 due to substandard property conditions or are otherwise blighted or substandard; provided, that
580 contracts entered into by the executive office of housing and livable communities for those
581 projects may include, but shall not be limited to, projects providing for demolition, renovation,
582 remodeling, reconstruction, redevelopment and hazardous material abatement, including asbestos

583 and lead paint, and for compliance with state codes and laws and for adaptations necessary for
584 compliance with the federal Americans with Disabilities Act of 1990; provided further, that
585 preference shall be given to community development corporations and local non-profit
586 organizations, organizations sponsoring projects that secure private funds and projects with the
587 greatest impact on community stabilization in weak markets including, but not limited to, rural
588 communities and communities that have been disproportionately affected by disinvestment,
589 foreclosure and abandonment; provided further, that financial assistance shall be awarded in a
590 manner that promotes geographic, social, racial, and economic equity; provided further, that
591 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects
592 that comply with decarbonization and sustainability standards; provided, that prioritization will
593 be determined through objective scoring criteria in the Qualified Allocation Plan developed by
594 the executive office of housing and livable communities; provided further, that for new
595 construction projects, the applicable standards for prioritization are set forth in the
596 commonwealth's Opt-in Specialized Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and
597 Enterprise Green Communities standards; provided further, that any project proposing less than
598 full compliance with said standards shall provide detailed analysis demonstrating why full
599 compliance would render the project infeasible notwithstanding utilization of all available
600 federal and state incentives, including rebates and tax credits; provided further, that for retrofits
601 of existing units, prioritization shall be given to projects that include energy efficiency and
602 electrification decarbonization measures, including, but not limited to electric or ground source
603 heat pumps, net-zero developments, Passive House or equivalent energy efficiency certification,
604 and all-electric buildings and projects that incorporate green, sustainable and climate-resilient
605 elements; provided further, that projects that include lower embodied carbon construction

606 materials and methods shall be further prioritized; provided further, that such rehabilitated
607 housing shall remain affordable for such period as shall be established by the executive office
608 through guidance taking into account differences in market conditions and the type of restrictions
609 best suited to promoting community stabilization in different markets; and provided further, that
610 an amount not to exceed 2 per cent of the amount expended may pay for administrative costs
611 directly attributable to the purposes of this program, including costs of support
612 personnel.....\$50,000,000

613 SECTION 5.

614 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

615 7004-4784. For the Massachusetts Housing Finance Agency established by section 3 of
616 chapter 708 of the acts of 1966, to capitalize a permanent, revolving Residential Production
617 Momentum Fund for the purpose of accelerating the development of mixed-income and
618 workforce multifamily housing production projects by providing financial assistance in the form
619 of innovative, low-cost, and flexible capital funding, which may be in the form of debt, equity, or
620 other instruments, depending on individual underwriting needs of the project; provided that not
621 less than 20 per cent of the units in a project that receives such financial assistance shall be
622 restricted to households with incomes generally between 60 per cent and 120 per cent of area
623 median income; provided further that, notwithstanding paragraph (f) of section 5 of said chapter
624 708, the Agency may in its discretion set the term and prepayment options for any mortgage or
625 other loan or instrument issued to any project receiving such financial assistance based on the
626 individual underwriting needs of the project; provided further that such financial assistance shall
627 be awarded in a manner that promotes geographic equity; and provided further, that funds

628 expended from this item shall, to the maximum extent feasible, be prioritized for projects that
629 comply with decarbonization and sustainability standards; provided, that prioritization will be
630 determined through objective scoring criteria in the Qualified Allocation Plan developed by the
631 executive office of housing and livable communities; provided further, that for new construction
632 projects, the applicable standards for prioritization are set forth in the commonwealth’s Opt-in
633 Specialized Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and Enterprise Green
634 Communities standards; provided further, that any project proposing less than full compliance
635 with said standards shall provide detailed analysis demonstrating why full compliance would
636 render the project infeasible notwithstanding utilization of all available federal and state
637 incentives, including rebates and tax credits; provided further, that for retrofits of existing units,
638 prioritization shall be given to projects that include energy efficiency and electrification
639 decarbonization measures, including, but not limited to electric or ground source heat pumps,
640 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
641 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
642 provided further, that projects that include lower embodied carbon construction materials and
643 methods shall be further prioritized.....\$50,000,000

644 SECTION 6. Section 20 of chapter 6C of the General Laws, as appearing in the 2022
645 Official Edition, is hereby amended by inserting after the second paragraph the following
646 paragraph:-

647 Any agreement related to any sale or lease of property may require that a developer
648 construct, design, build, finance, operate, or maintain, or any combination thereof, transportation
649 facilities in the state highway system, including land and air rights or any related facility or
650 component thereof controlled by the department, so long as the department shall state in its bid

651 documentation that such transportation facilities or related facility will be accepted or required as
652 a part of any such development agreement. No further procurement or advertising requirements
653 shall be required, except as required in this section.

654 SECTION 7. Section 46 of said chapter 6C, as so appearing, is hereby amended by
655 inserting after the first paragraph the following paragraph:-

656 Any agreement related to any lease of property may require that a developer construct,
657 design, build, finance, operate, or maintain, or any combination thereof, transportation facilities
658 in the state highway system including land and air rights or any related facility or component
659 thereof controlled by the department, so long as the department shall state in its bid
660 documentation that such transportation facilities or related facility will be accepted or required as
661 a part of any such development agreement. No further procurement or advertising requirements
662 shall be required, except as required in section 20.

663 SECTION 8. Subsection (b) of section 1 of said chapter 23B of the General Laws, as
664 amended by section 102 of chapter 7 of the acts of 2023, is hereby further amended by inserting
665 after clause (xvii) the following clause:-

666 (xviii) Develop and implement, not less than once every 5 years, a written
667 comprehensive housing plan for the commonwealth. Such plan shall include, but not be limited
668 to, housing supply and demand data, affordability and affordability gaps, identification of
669 housing affordability challenges and needs by region, and a listing of strategies to address such
670 housing needs.

671 SECTION 9. Section 27½ of chapter 23B of the General Laws, as inserted by section 117
672 of chapter 7 of the acts of 2023, is hereby further amended by striking out subsections (a) and (b)
673 and inserting in place thereof the following 2 subsections:-

674 (a) There shall be in the executive office of housing and livable communities a
675 HousingWorks infrastructure program (i) to issue infrastructure grants that support housing to
676 municipalities and other public entities for design, construction, building, rehabilitation, repair,
677 and other improvements to infrastructure, including, but not limited to, sewers, utility extensions,
678 streets, roads, curb-cuts, parking, water treatment systems, telecommunications systems, transit
679 improvements, public parks and spaces that support planned or proposed housing improvements,
680 and pedestrian and bicycle ways, that support the objectives of the secretariat; or (ii) to assist
681 municipalities to advance projects that support housing development, preservation, or
682 rehabilitation. Preference for grants or assistance under this section shall be given to
683 infrastructure serving locations within 0.5 miles of a transit station or transit route; other eligible
684 locations as defined in section 1A of chapter 40A; and multi-family zoning districts that comply
685 with section 3A of said chapter 40A; and projects that support housing in rural and small towns,
686 as defined by the executive office.

687 (b) A project that uses grants to municipalities for public infrastructure provided by this
688 section shall be procured by a municipality in accordance with chapter 7, section 39M of chapter
689 30, chapter 30B and chapter 149.

690 SECTION 10 Chapter 23B of the General Laws, as amended by chapter 7 of the acts of
691 2023, is hereby further amended by adding the following 4 sections:-

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

694 “Office”, the office of fair housing.

695 “Fair housing trust fund”, the Fair Housing Trust Fund, as established in section
696 2BBBBBBB of chapter 29.

697 (b) There shall be within the executive office of housing and livable communities an
698 office of fair housing. The office shall be under the supervision and control of a director of fair
699 housing who shall be appointed by and report to the secretary of housing and livable
700 communities.

701 (c) The office shall:

702 (i) Collaborate with state agencies on policies and actions that would advance the
703 elimination of housing discrimination and affirmatively further fair housing, overcome patterns
704 of segregation, foster inclusive communities free from barriers that restrict access to opportunity
705 for individuals or groups of individuals that are protected from unlawful practices pursuant to
706 chapter 151B and help support enforcement of and compliance with all fair housing laws,
707 including, but not limited to, chapter 151B and the federal Fair Housing Act, 42 U.S.C. 3601 et
708 seq;

709 (ii) facilitate communication and partnership among state agencies and municipalities to
710 develop a greater understanding of the intersections between agency activities, municipal
711 activities and fair housing;

712 (iii) facilitate the development of interagency initiatives to examine and address the social
713 and economic determinants of housing disparity issues including, but not limited to: (A) equal
714 access to quality housing; (B) housing affordability; (C) access and proximity to multimodal
715 transportation options, including cost; (D) air, water, land usage and quality, including, but not
716 limited to consideration of environmental justice principles as defined in section 30 of chapter
717 62L; (E) employment and workforce development; (F) access to healthcare; (G) education access
718 and quality; and (H) language access; and

719 (iv) administer the Fair Housing Trust Fund.

720 (d) Not less than once every 5 years, the office shall prepare a report evaluating the
721 progress of the commonwealth toward eliminating housing discrimination and affirmatively
722 furthering fair housing. Said report shall comply with all applicable federal requirements for
723 analysis and reporting relating to the commonwealth's obligation to affirmatively further fair
724 housing. Where possible, said report shall include quantifiable measures and comparative
725 benchmarks and, where possible, shall detail progress on a regional basis. The office shall hold
726 public hearings to gather public information on the topics of the report. In addition, on an annual
727 basis, the office shall prepare a supplemental report describing the activities and outcomes of the
728 Fair Housing Trust Fund. Both the assessment of fair housing report and the annual supplemental
729 reports on the activities and outcomes of the Fair Housing Trust Fund shall be filed with the
730 governor, the clerks of the house of representatives and senate and the chairs of the joint
731 committee on housing not later than July 1 in the year in which each such report is due. Each
732 report shall be posted on the official website of the commonwealth.

733 Section 32. As used in this section and sections 33 through 34, inclusive, the following
734 words shall have the following meanings unless the context clearly requires otherwise:-

735 “Executive office”, the executive office of housing and livable communities.

736 “Seasonal community”, a city or town characterized by significant seasonal fluctuations
737 in population and employment related to seasonally-based tourism, based on criteria to be
738 established by the SCCC.

739 “Secretary”, the secretary of housing and livable communities.

740 “SCCC”, the Seasonal Communities Coordinating Council established pursuant to
741 section (b).

742 Section 33. (a) There shall be a seasonal community coordinating council, or SCCC,
743 established within the executive office, which shall consist of: the secretary or their designee
744 who shall serve as chairperson; 1 person to be appointed by the secretary; the secretary of labor
745 and workforce development or a designee; and 4 persons to be appointed by the governor, 1 of
746 whom shall be from the western region of the commonwealth, 1 of whom shall be from the
747 northeastern region of the commonwealth, 1 of whom shall be from the southeastern region of
748 the commonwealth, and 1 of whom shall be from Cape Cod or the Islands. The persons
749 appointed by the governor shall have expertise in issues pertaining to municipal government, the
750 hospitality industry, the tourism industry, and housing development and finance. Each member
751 appointed by the governor shall serve at the pleasure of the governor. The council shall adopt
752 by-laws to govern its affairs.

753 (b) The SCCC shall provide advice and recommendations, which shall, at a minimum,
754 include regulatory recommendations to the executive office regarding the creation of a process
755 for designating cities and towns as seasonal communities. The SCCC also shall provide advice
756 and recommendations to the executive office regarding policies or programs to serve the distinct
757 needs of seasonal communities, including but not limited to, access to specialized grant programs
758 or special consideration under certain state grant programs of general application. The SCCC
759 also shall provide advice and recommendations to the executive office as to best practices to
760 incentivize production of affordable year-round housing in such communities.

761 (c) The SCCC shall provide its initial report to the executive office within 180 days
762 following appointment of its members and shall report annually thereafter with additional
763 recommendations.

764 Section 34. A city or town designated by the executive office as a seasonal community,
765 by vote of its town meeting, town council or city council, with the approval of the mayor where
766 required by law, on its own behalf or in conjunction with one or more cities or towns, may
767 exempt from property taxation, under chapter 59, a dwelling unit that is rented on a yearly basis,
768 and occupied year-round, for an amount not to exceed 150 per cent the fair market rent as
769 established by the United States Department of Housing and Urban Development for the
770 applicable metropolitan statistical area. The owner of a dwelling qualifying for exemption under
771 this section shall submit to the municipality or its agent documentation, including but not limited
772 to a signed lease, necessary to confirm the eligibility of the rental.

773 The amount of the exemption shall be determined by the municipality; provided,
774 however, that the amount shall not exceed an amount equal to the tax otherwise owed on the

775 property based on the assessed value of the property, including accessory dwelling units,
776 multiplied by the square feet of the living space of all dwelling units on the property that qualify
777 under this section, divided by the total square feet of structures on the property.

778 SECTION 11. Chapter 29 of the General Laws, as appearing in the 2022 Official Edition,
779 is hereby amended by inserting after section 2AAAAAAA the following section:-

780 Section 2BBBBBB. (a) There shall be established and set up on the books of the
781 commonwealth a separate fund known as the Fair Housing Trust Fund. There shall be credited to
782 said fund revenue from appropriations or other monies authorized by the general court and
783 specifically designated for the fund and any gifts, grants, private contributions, investment
784 income earned on the fund's assets and any other sources.

785 (b) The fund shall be administered by the office of fair housing established in section 31
786 of chapter 23B and funds shall be expended from the fund for the purpose of eliminating housing
787 discrimination and affirmatively furthering fair housing, overcoming patterns of segregation,
788 fostering inclusive communities free from barriers that restrict access to opportunity for
789 individuals or groups of individuals that are protected from unlawful practices pursuant to
790 chapter 151B, and help support enforcement of and compliance with all fair housing laws,
791 including, but not limited to, chapter 151B and the federal Fair Housing Act, 42 U.S.C. 3601 et
792 seq. Activities eligible for assistance from the trust fund shall include, but not be limited to,
793 private enforcement initiatives, education and outreach initiatives, fair housing testing, lending
794 discrimination, affirmatively furthering fair housing, and special projects.

795 (c) Amounts credited to the fund shall be expended without further appropriation. Any
796 balance in the fund at the close of a fiscal year shall be available for expenditure in subsequent

797 fiscal years and shall not be transferred to any other fund or revert to the General Fund; provided
798 that the comptroller shall report the amount remaining in the fund at the end of each fiscal year to
799 the house and senate committees on ways and means.

800 (d) Grantees eligible for assistance shall include, but not be limited to, fair housing
801 assistance programs and fair housing initiative programs, as defined by the U.S. Department of
802 Housing and Urban Development, any private, non-profit agency, or any state-funded public
803 housing authority.

804 SECTION 12. Section 1A of chapter 40A of the General Laws, as appearing in the 2022
805 Official Edition, is hereby amended by striking out the definition of “Accessory Dwelling Unit”
806 and inserting in place thereof the following definition:-

807 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking
808 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable
809 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly
810 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient
811 to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor
812 area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is
813 smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality,
814 including but not limited to additional size restrictions, and restrictions or prohibitions on short-
815 term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall
816 unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term
817 rental.

818 SECTION 13. Section 3 of said chapter 40A of the General Laws, as so appearing, is
819 hereby amended by adding the following paragraph:-

820 No zoning ordinance or by-law shall prohibit, unreasonably restrict, or require a special
821 permit or other discretionary zoning approval for the use of land or structures for an accessory
822 dwelling unit, or the rental thereof, in a single-family residential zoning district; provided, that
823 the use of land or structures for an accessory dwelling unit under this paragraph may be subject
824 to reasonable regulations, including but not limited to 310 CMR 15.000 et seq., if applicable, site
825 plan review, regulations concerning dimensional setbacks and the bulk and height of structures
826 and may be subject to restrictions and prohibitions on short term rental as defined in section 1 of
827 chapter 64G. The use of land or structures for an accessory dwelling unit under this paragraph
828 shall not require owner occupancy of either the accessory dwelling unit or the principal dwelling;
829 provided further, that not more than 1 additional parking space shall be required for an accessory
830 dwelling unit; and provided further, that no additional parking space shall be required for an
831 accessory dwelling located not more than 0.5 miles from a commuter rail station, subway station,
832 ferry terminal or bus station. The executive office of housing and livable communities may issue
833 guidelines or promulgate regulations to carry out the purposes of this paragraph.

834 SECTION 14. Section 3A of said chapter 40A of the General Laws, as amended by
835 section 152 of chapter 7 of the acts of 2023, is hereby further amended by striking out the words
836 “section 27” and inserting in place thereof the following words:- section 27½.

837 SECTION 15. Section 5 of said chapter 40A of the General Laws, as amended by section
838 154 of chapter 7 of the acts of 2023, is hereby further amended by inserting after clause (4) the
839 following clause:-

840 (5) an inclusionary zoning ordinance or bylaw; provided, that such zoning ordinance or
841 bylaw shall not unduly constrain the production of housing in the area impacted by the
842 inclusionary zoning ordinance or bylaw; provided further, that the executive office of housing
843 and livable communities may issue guidelines or promulgate regulations consistent with the
844 purposes of this clause.

845 SECTION 16. Section 9 of chapter 40H of the General Laws, as appearing in the 2022
846 Official Edition, is hereby amended by striking out, in line 1, the words “section 16G” and
847 inserting in place thereof the following words:- section 16G½.

848 SECTION 17. Said section 9 of said chapter 40H, as so appearing, is hereby further
849 amended by striking out the words “and section 56 of chapter 23A”.

850 SECTION 18. Paragraph (1) of subsection (c) of section 55C of chapter 44, as appearing
851 in the 2022 Official Edition, is hereby amended by inserting in line 35, after the words “money
852 from chapter 44B”, the following words:- and section 55D; provided, however, that any such
853 money received from section 55D shall be used exclusively for adaptive reuse, production or
854 preservation of affordable housing, uses allowed by the municipal affordable housing trust fund
855 established hereunder or a regional affordable housing commission fund established by general
856 or special law, for assistance to a housing authority as defined under section 1 of chapter 121B or
857 other affordable housing purposes as determined by the Executive Office of Housing and Livable
858 Communities.

859 SECTION 19. Said section 55C of said chapter 44, as so appearing, is hereby further
860 amended, by inserting after the word “fee,” in line 99, the following words:- transfer fee
861 pursuant to section 55D.

862 SECTION 20. Said chapter 44 is hereby further amended by inserting after section 55C
863 the following section:-

864 Section 55D. (a) For purposes of this section, the following words shall, unless the
865 context clearly requires otherwise, have the following meanings:-

866 “Affidavit of transfer fee”, an affidavit signed under the pains and penalties of perjury by
867 the settlement agent that attests to (i) the true and complete purchase or sale price of the transfer
868 of the real property interest; (ii) the amount of the transfer fee owed or the basis, if any, upon
869 which the transfer is exempt from the fee imposed by said transfer; (iii) the amount that the seller
870 shall pay as required by the bylaw, ordinance or regulation; and (iv) the obligation of the
871 settlement agent to make payment of the transfer fee to the city or town.

872 “Affordable housing purposes” uses allowed by the municipal affordable housing trust
873 fund or regional affordable housing commission fund into which funds are deposited hereunder,
874 which shall include the acquisition, construction, rehabilitation, and preservation of affordable
875 housing for the benefit of low- and moderate-income households as defined in such municipal
876 affordable housing trust fund or regional affordable housing commission fund, assistance to a
877 housing authority as defined under section 1 of chapter 121B or other affordable housing
878 purposes pursuant to regulations promulgated by the executive office of housing and livable
879 communities.

880 “Affordable housing restriction”, a recorded instrument held by a qualified holder which
881 encumbers or restricts a real property interest so that the real property interest is perpetually or
882 for a term of at least 30 years limited to use as a residence occupied by a low or moderate income
883 household with area median income, as defined by the United States Department of Housing and

884 Urban Development, not to exceed the income limits to which the municipal affordable housing
885 trust fund or regional affordable housing commission fund is subject.

886 "Member cities and towns", cities or towns that are members of a regional affordable
887 housing commission.

888 "Municipal affordable housing trust fund", a municipal affordable housing trust fund
889 established pursuant to section 55C, or any other municipal trust fund established pursuant to a
890 law of the commonwealth providing for the creation and preservation of affordable housing in a
891 particular city or town for the benefit of low- and moderate-income households or for the
892 funding of community housing, as defined in and in accordance with chapter 44B.

893 "Purchaser", the transferee, grantee, or recipient of any real property interest.

894 "Purchase price" or "sale price," all consideration paid or transferred by or on behalf of a
895 purchaser to a seller or the seller's nominee, or for the seller's benefit, for the transfer of any real
896 property interest, and shall include, but not be limited to: (i) all cash or its equivalent so paid or
897 transferred; (ii) all cash or other property paid or transferred by or on behalf of the purchaser to
898 discharge or reduce any obligation of the seller; (iii) the principal amount of all notes or their
899 equivalent, or other deferred payments, given or promised to be given by or on behalf of the
900 purchaser to the seller or the seller's nominee; (iv) the outstanding balance of all obligations of
901 the seller which are assumed by the purchaser or to which the real property interest transferred
902 remains subject after the transfer, determined at the time of transfer, but excluding real estate
903 taxes and other municipal liens or assessments which are not overdue at the time of transfer; (v)
904 the fair market value, at the time of transfer, of any other consideration or thing of value paid or

905 transferred by or on behalf of the purchaser, including, but not limited to, any property, goods or
906 services paid, transferred or rendered in exchange for such real property interest.

907 “Qualified holder”, a governmental body or charitable corporation or trust which
908 qualifies under the terms of chapter 184 to hold an affordable housing restriction.

909 "Real property interest", any present or future legal or equitable interest in or to real
910 property, and any beneficial interest therein, including the interest of any beneficiary in a trust
911 which holds any legal or equitable interest in real property, the interest of a partner or member in
912 a partnership or limited liability company, the interest of a stockholder in a corporation, the
913 interest of a holder of an option to purchase real property, the interest of a purchaser or seller
914 under a contract for purchase and sale of real property, and the transferable development rights
915 created under chapter 183A; but shall not include any interest which is limited to any of the
916 following: the dominant estate in any easement or right of way; the right to enforce any
917 restriction; any estate at will or at sufferance; any estate for years having a term of less than 30
918 years; any reversionary right, condition, or right of entry for condition broken; and the interest of
919 a mortgagee or other secured party in any mortgage or security agreement.

920 “Regional affordable housing commission”, a regional planning and land use commission
921 created by any general or special law with authority to prepare and oversee the implementation
922 of a regional land-use policy plan for a region of the Commonwealth comprising at least one
923 county, and whose membership includes all of the cities or towns in such region; provided, that
924 the regional commission’s statutory purposes and authority shall include promoting the creation
925 of fair affordable housing for low-income and moderate-income persons; provided further, that a
926 regional affordable housing commission may be an agency within the structure of a regional

927 government, including, but not limited to the Cape Cod regional government, known as
928 Barnstable county; and provided further, that said regional government may require additional
929 procedures for member cities and towns to adopt a transfer fee that are not inconsistent with this
930 section, including, but not limited to procedures for adopting bylaws and ordinances, establishing
931 a transfer fee and administering the collection of a transfer fee established pursuant to this
932 section.

933 "Regional affordable housing commission fund", a fund established by general or special
934 law for the creation and preservation of affordable housing, as defined in the general or special
935 law establishing such fund, in a particular region comprising at least one county.

936 "Seller", the transferor, grantor, or immediate former owner of any real property interest.

937 "Settlement Agent", an escrow agent, real estate attorney, or representative of a lender or
938 title company that conducts the closing or settlement of the sale or transfer of a real property
939 interest including the coordination of the attendance and document signing for all the parties,
940 verification that each party to the transfer has performed their required responsibilities as
941 outlined in the contract and the disbursement of all funds, along with the title and deed, to the
942 appropriate parties after checking that all conditions are met at the close of the transfer
943 transaction.

944 "Time of transfer", the time at which a transfer of a real property interest is legally
945 effective as between the parties thereto, and, in any event, with respect to a transfer evidenced by
946 an instrument recorded with the appropriate registry of deeds or filed with the assistant recorder
947 of the appropriate registry district, not later than the time of such recording or filing.

948 “Transfer fee”, a fee, to be paid by the seller pursuant to this section, upon the transfer of
949 a real property interest between a seller and a buyer.

950 (b) (1) A city or town that has established a municipal affordable housing trust fund, or a
951 regional affordable housing commission that has established a regional affordable housing
952 commission fund, as applicable, may, pursuant to subsection (e), impose a fee upon the transfer
953 of any real property interest in any real property situated in the city or town, or real property
954 situated in the member cities and towns, as described and as subject to conditions and
955 exemptions described herein; provided, that a city or town that is an MBTA community as
956 defined in section 1A of chapter 40A shall not impose a transfer fee pursuant to this section
957 unless such city or town has been determined by the executive office of housing and livable
958 communities to be in compliance with section 3A of chapter 40A; and provided further, that
959 member cities and towns shall not impose a fee pursuant to this section if a transfer fee is in
960 effect pursuant to the adoption of such fee by the applicable regional affordable housing
961 commission under subsection (e).

962 (2) A city, town or regional affordable housing commission, as applicable, may establish
963 different transfer fee rates for different classifications of properties, defined by the tax
964 classification of such properties, and the purchase price of a property; provided, however, that
965 any transfer fee shall be not less than 0.5 per cent and not more than 2 per cent of the portion of
966 the purchase price of such real property interest in excess of the exemption threshold established
967 pursuant to paragraph (1) of subsection (c).

968 (3) The transfer fee shall be borne by the seller.

969 (4) The seller or settlement agent shall, in advance of the time of transfer, request and the
970 city or town or regional affordable housing commission, as applicable, shall provide to said seller
971 or settlement agent in advance of the time of transfer a certificate indicating the dollar amount of
972 the transfer fee owed based on the agreed upon purchase price as evidenced by an executed
973 purchase and sale agreement, contract for sale or other document evidencing the agreed upon
974 purchase price or that the transfer is exempt from the transfer fee, stating the basis for the
975 exemption.

976 (5) Whenever the transfer of a real property interest will occur at or about the same time
977 as a conveyance of personalty related thereto, the calculation of the fee with respect to such
978 transfer shall be determined by the city or town or regional affordable housing commission, as
979 applicable; provided, that the allocations of payments between real estate and personalty agreed
980 to by the purchaser and seller shall not determine the calculation of the transfer fee due pursuant
981 to this section.

982 (6) The transfer fee shall be paid within 7 days of the time of transfer by the settlement
983 agent to the city or town, or its designee, or to the regional affordable housing commission or its
984 designee, as applicable and shall be accompanied by a copy of the deed or other instrument
985 recorded or registered with the registry of deeds for the county in which the real property interest
986 is located, or the assistant recorder for the registry district of the county in which the real
987 property interest is located, and a copy of the affidavit of transfer fee. The city or town, or its
988 designee, or the regional affordable housing commission, or its designee as applicable, shall
989 promptly thereafter execute and issue a certificate indicating that the appropriate fee has been
990 paid.

991 (7) Upon receipt of a transfer fee by a city or town, the treasurer of the city or town shall
992 deposit the transfer fee in the city or town's municipal affordable housing trust fund. Upon
993 receipt of a transfer fee by a regional affordable housing commission, or its designee, the
994 regional affordable housing commission, or its designee, shall deposit the transfer fee into the
995 regional affordable housing commission fund.

996 (c) (1) The following transfers of real property interests shall be exempt from a transfer
997 fee established pursuant to this section:

998 (i) Transfers for less than the greater of \$1,000,000 or 100 per cent of the median single
999 family home sales price for that county; provided, that a municipality or regional affordable
1000 housing commission, as applicable, may adopt a higher threshold pursuant to this section. The
1001 county median sales price for a single-family home shall be determined annually by April 1st of
1002 each calendar year by the executive office of housing and livable communities.

1003 (ii) Transfers made as gifts with consideration of less than \$100;

1004 (iii) Transfers from the government of the United States, the Commonwealth and any of
1005 their instrumentalities, agencies, or subdivisions, including but not limited to transfers from the
1006 city, town, local housing authority or regional housing commission;

1007 (iv) Distributions by the trustees of a trust to the beneficiaries of such trust;

1008 (v) Transfers to the trustees of a trust in exchange for a beneficial interest received by the
1009 seller in such trust;

1010 (vi) Transfers between family members as defined by bylaw, ordinance or regulations
1011 adopted by a city, town or regional affordable housing commission, as the case may be;

- 1012 (vii) Transfers which, without additional consideration, confirm, correct, modify, or
1013 supplement a transfer previously made;
- 1014 (viii) Transfers by operation of law without actual consideration, including but not
1015 limited to transfers occurring by virtue of the death or bankruptcy of the owner of a real property
1016 interest;
- 1017 (ix) Transfers made in partition of land and improvements thereto, pursuant to chapter
1018 241;
- 1019 (x) Transfers to any charitable or religious organization, as defined pursuant to section 5
1020 of chapter 59; provided, however, that the real property interest so transferred will be held by the
1021 charitable or religious organization solely for affordable housing-related uses that are consistent
1022 with the uses allowed by the municipal affordable housing trust fund or regional affordable
1023 housing commission fund, as applicable; and provided, further, that such housing shall be subject
1024 to an affirmative fair housing marketing plan approved by the executive office of housing and
1025 livable communities;
- 1026 (xi) Transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee, and
1027 transfers of the property subject to a mortgage to the mortgagee in consideration of the
1028 forbearance of the mortgagee from foreclosing said mortgage;
- 1029 (xii) Transfers consisting of the division of marital assets under the provisions of section
1030 34 of chapter 208 or other provisions of law; and
- 1031 (xiii) Transfers of an interest in real property containing not less than 3 residential units
1032 in which not less than 1 residential unit or 25 per cent of the residential units, whichever is

1033 greater, is governed by affordable housing restrictions; provided, however, that if less than 100
1034 per cent of the residential units are governed by affordable housing restrictions, the exemption
1035 shall apply only to the portion of the property that is governed by affordable housing restrictions
1036 and the transfer fee imposed pursuant to this section shall be proportionately reduced based on
1037 the percentage of residential units subject to affordable housing restrictions, as compared to the
1038 total number of units located on that property.

1039 (2) The payor of the transfer fee shall have the burden of proving that an exemption
1040 applies to a transfer of real property interest pursuant to this section; and provided further, that
1041 any otherwise exempt transfer shall not be exempt in the event that such transfer, by itself or as
1042 part of a series of transfers, was made for the primary purpose of evading the fee established
1043 pursuant to this section.

1044 (d) The city or town's treasurer, or the treasurer or other person designated by the
1045 regional affordable housing commission, as applicable, shall keep a full and accurate account
1046 stating when, from or to whom, and on what account, money has been paid or received relative
1047 to the activities of the municipal or regional affordable housing trust fund.

1048 (e)(1) The adoption of any transfer fee pursuant to subsection (b) shall be determined by
1049 either (i) a majority vote by the city or town's legislative body or (ii) with respect to a regional
1050 affordable housing commission, by the terms of, or in accordance with, the procedures
1051 established by such commission; provided, that member cities and towns may adopt a transfer
1052 fee pursuant to clause (i) if a transfer fee is not in effect for the applicable regional affordable
1053 housing commission pursuant to clause (ii); and provided further, that a transfer fee adopted by

1054 any member cities and towns shall have no force or effect upon the effective date of a transfer
1055 fee adopted by the applicable regional affordable housing commission pursuant to clause (ii).

1056 The adoption of a transfer fee pursuant to subsection (b) shall take effect on the first day
1057 of the calendar quarter following 30 days after its acceptance pursuant to this subsection or on
1058 the first day of a later calendar quarter as the city or town or regional housing commission, as
1059 applicable, may designate.

1060 (2) A city, town or any of the member cities or towns of a regional affordable housing
1061 commission may provide for the enforcement and collection of a transfer fee established
1062 pursuant to this section, including, but not limited to the denial, revocation or suspension of local
1063 licenses and permits pursuant to section 57 of chapter 40 and the authority to impose a lien on
1064 real property pursuant to section 58 of chapter 40.

1065 (3) A city, town or regional affordable housing commission enacting a real estate transfer
1066 fee pursuant to this section, may issue rules, policies and procedures to effectuate its terms.

1067 (4) A city, town or regional affordable housing commission that adopts this section shall
1068 submit an annual report to the executive office of housing and livable communities and the
1069 department of revenue detailing the total fees collected and the amounts used or planned to be
1070 used for affordable housing purposes in accordance with this section.

1071 (5) a city, town or regional affordable housing commission that adopts this section shall
1072 adopt a bylaw, ordinance or regulation, as the case may be, which establishes a procedure by
1073 which an aggrieved person may appeal the transfer fee amount, in whole or in part, or the denial
1074 of an exemption.

1075 (6) Any person aggrieved by a denial of relief pursuant to a bylaw, ordinance or
1076 regulation established pursuant to paragraph (5) may, within 60 days from the receipt of the
1077 notice of such denial, petition the appellate tax board under the provisions of chapter 58A.

1078 (f) The executive office of housing and livable communities, in consultation with the
1079 department of revenue, shall promulgate regulations to carry out the provisions of this section,
1080 which shall include, but not be limited to regulations that provide for the forfeiture of revenue
1081 collected pursuant to this section to said executive office if such revenue has not been used for
1082 affordable housing purposes within a reasonable amount of time.

1083 SECTION 21. Section 6M of chapter 62, as so appearing, is hereby amended by striking
1084 out, in lines 226 and 227, the words "\$12,000,000 in each of taxable years 2023 to 2025,
1085 inclusive" and inserting in place thereof the following words:- \$15,000,000 in taxable years
1086 beginning on or after January 1, 2025.

1087 SECTION 22. Chapter 62 of the General Laws is hereby amended by inserting after
1088 section 6N, the following section:-

1089 Section 6O. (a) For the purposes of this section, unless the context clearly requires
1090 otherwise, the following words shall have the following meanings:-

1091 "Affordability period", the ten-year period that commences on the date of the initial sale
1092 of a single-family dwelling constructed as part of a qualified project.

1093 "Affordability restriction", a restriction in form and substance approved by the director
1094 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of
1095 a qualified homeownership development project during the affordability period.

1096 "Credit amount", the amount computed by the director under subsection (b) before
1097 issuing an eligibility certificate.

1098 "Commissioner", the commissioner of revenue.

1099 "Credit award amount", the amount determined by the director and stipulated in the
1100 notice sent pursuant to subsection (c).

1101 "Director", the executive director of the Massachusetts Housing Finance Agency,
1102 established pursuant to chapter 708 of the acts of 1966.

1103 "Eligibility certificate", a certificate issued to a sponsor pursuant to subsection (d).

1104 "Eligible location", a geography in which qualified projects may be located, based on
1105 criteria established in the qualified homeownership allocation plan.

1106 "Homeownership development project", a multi-unit homeownership development
1107 project in which not less than 20 per cent of the units are affordable at the time of initial sale to
1108 households having incomes equal to or less than 120 per cent of the area median income, as
1109 determined by the United States Department of Housing and Urban Development.

1110 "Maximum credit amount", the amount equal to 35 per cent of the lesser of: (i) the total
1111 qualified project expenditures or (ii) 80 per cent of the median new home sales price, subject to
1112 such further limitations as may be established under the qualified homeownership credit
1113 allocation plan.

1114 "Qualified buyer", an individual that is a first-time homebuyer with an annual income
1115 not exceeding 120 per cent of the area median income, as determined by the United States
1116 Department of Housing and Urban Development, for the location in which the single-family

1117 dwelling being purchased is located, and that satisfies any additional qualifications established
1118 by the director under the qualified homeownership credit allocation plan.

1119 "Qualified homeownership credit allocation plan", a plan adopted by the director with the
1120 approval of the secretary, establishing (i) criteria and metrics under which homeownership
1121 development projects will be assessed for qualification and the geographies in which qualified
1122 projects may be located; (ii) criteria for approving and ranking applications for credits; (iii)
1123 methodology to determine applicable median new homes sales prices for the area in which the
1124 project is located; (iv) mechanisms to maintain affordability of each single-family dwelling
1125 created as part of a qualified homeownership development project, throughout the affordability
1126 period; (v) criteria to be used in determining qualification as a qualified buyer; (vi) the criteria
1127 governing the purchase, ownership and sale of completed qualified homeownership development
1128 project single-family dwellings; and (vii) the manner of determining qualified project
1129 expenditures.

1130 "Qualified homeownership development project", a homeownership development project
1131 to develop single-family dwellings in the commonwealth that satisfies any qualifications
1132 established by the director with the approval of the secretary in the qualified homeownership
1133 credit allocation plan; provided, however, that the proposed project (i) involves the new
1134 construction of 10 or more residential homeownership units; (ii) is located in an eligible location;
1135 and (iii) has units that shall be sold to qualified buyers, subject to an affordability restriction in
1136 accordance with the qualified homeownership credit allocation plan.

1137 "Qualified project expenditure", an expenditure directly related to the construction of a
1138 qualified homeownership development project, including the cost of site assessment and

1139 remediation of hazardous materials, but excluding the purchase of the project, provided,
1140 however, that (i) the department has certified that the proposed project meets the definition of a
1141 qualified homeownership development project; (ii) prior to construction, the director has
1142 certified that all or a portion of the project costs are for new construction; and (iii) after the
1143 construction of the project has been completed, the director has certified that the project has been
1144 completed in compliance with this section and the requirements and conditions of any prior
1145 certifications.

1146 "Project development team", the group of entities that develops, constructs, reports,
1147 appraises, finances, and services the associated properties of a qualified project in partnership
1148 with the project development owner.

1149 "Secretary", the secretary of the executive office of housing and livable communities,
1150 established under chapter 23B.

1151 "Single-Family Dwelling", (i) a residential property containing not more than 4
1152 residential units, or (ii) a condominium unit in a professionally managed condominium
1153 development.

1154 "Sponsor", a sponsor, as defined in section 25 of chapter 23B, of a qualified
1155 homeownership development project or owner of a qualified homeownership development
1156 project.

1157 "Taxpayer", a taxpayer subject to the income tax under this chapter.

1158 (b) (1) There shall be a Massachusetts homeownership tax credit. The director, in
1159 consultation with the secretary, may authorize annually under this section together with section

1160 38NN of chapter 63 the total sum of: (i) \$10,000,000 (ii) the amount, if any, not authorized in the
1161 preceding calendar year; and (iii) Massachusetts homeownership tax credits returned to the
1162 director by a sponsor.

1163 (2) A taxpayer may be allowed a nonrefundable state tax credit with respect to a
1164 qualified homeownership development project under this section equal to the credit amount
1165 listed on the eligibility certificate pursuant to subsection (d). If the credit allowable for any
1166 taxable year is unused by the taxpayer or exceeds the taxpayer's tax liability for that tax year, the
1167 taxpayer may carry forward and apply in any subsequent taxable year, the portion, as reduced
1168 from year to year, of those credits which exceed the tax for the taxable year; provided, however,
1169 that in no event shall the taxpayer apply the credit to the tax for any taxable year beginning after
1170 the affordability period.

1171 (3) To be eligible to receive a credit award pursuant to this section, a sponsor shall submit
1172 an application to the director on a form and in a manner prescribed by the director, in
1173 consultation with the secretary; provided that said application shall include, but not be limited to,
1174 the following: (i) the name and address of the sponsor; (ii) the names and addresses of all
1175 members of the project development team; (iii) an estimate of the total qualified project
1176 expenditures; and (iv) any other information as the director, in consultation with the secretary,
1177 may require pursuant to the qualified homeownership credit allocation plan.

1178 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and
1179 approve applications and award tax credits under this section for a qualified project in
1180 accordance with the qualified homeownership credit allocation plan. The director, in consultation

1181 with the secretary, shall determine the credit amount awarded for each qualified project, which
1182 shall not exceed the maximum credit amount.

1183 (2) The director shall send written notice of the tax credit award to the sponsor of a
1184 qualified homeownership development project. The notice shall stipulate that receipt of the credit
1185 is contingent upon the sale of all single-family dwellings that are required to be sold to qualified
1186 buyers and issuance of an eligibility certificate.

1187 (d)(1) Upon completion of a qualified homeownership development project for which a
1188 tax credit was awarded under this section and the sale of all single-family dwellings that are
1189 required to be sold to qualified buyers, the sponsor shall notify the director and provide a final
1190 qualified project expenditures certification for approval. Immediately after approving the final
1191 cost certification, the director shall compute the credit amount and issue an eligibility certificate
1192 to the project development owner. The credit amount, which shall be stated on the certificate,
1193 shall equal the credit award amount stated in the notice issued under subsection (c), subject to
1194 any reduction or increase as the result of the approval of the final qualified project expenditures
1195 certification; provided that such amount shall not exceed the maximum credit amount.

1196 (2) Each eligibility certificate shall state the credit amount, the years that comprise the
1197 affordability period, the name, address, and the taxpayer identification number of the sponsor
1198 and all members of the project development team along with the date the certificate is issued, a
1199 unique identifying number, and any additional information the director, in consultation with the
1200 secretary, may require. The director shall certify a copy of each eligibility certificate to the
1201 secretary and the commissioner.

1202 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development
1203 project and associated single-family dwellings until such dwellings are sold to qualified buyers.

1204 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified
1205 homeownership development project for which a tax credit was issued under this section shall
1206 occupy such single-family dwelling as the qualified buyer's primary residence during the
1207 affordability period. If a single-family dwelling constructed as part of a qualified project is sold
1208 during the affordability period, the seller shall transfer to the director an amount equal to 90 per
1209 cent of the gain from such resale, reduced by 10 per cent for each year of the affordability period
1210 which ends before the date of such sale, subject to such additional criteria as may be established
1211 under the qualified homeownership credit allocation plan. The director shall use any amount
1212 received pursuant to a repayment under this paragraph for the purpose of providing financial
1213 assistance to first-time homebuyers and offsetting the costs of administering this section. The
1214 director may place a lien on each single-family dwelling constructed as part of a qualified
1215 homeownership development project for an amount it deems necessary to ensure potential
1216 repayment pursuant to this paragraph.

1217 (f) (1) all or any portion of tax credits issued in accordance with this section may be
1218 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to
1219 claim the credits pursuant to paragraph (2) of subsection (b) with the same effect as if the
1220 transferee had incurred the qualified project expenditures itself.

1221 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in
1222 paragraph (1) shall submit to the commissioner a statement which describes the amount of the
1223 Massachusetts homeownership tax credit for which such transfer, sale or assignment of the

1224 Massachusetts homeownership tax credit is eligible. Said sponsor shall provide to the
1225 commissioner appropriate information so that the homeownership tax credit can be properly
1226 allocated.

1227 (3) In the event that the recapture of Massachusetts homeownership tax credits is required
1228 pursuant to subsection (g), any statement submitted to the commissioner as provided in
1229 paragraph (2) shall include the proportion of the Massachusetts homeownership tax credit
1230 required to be recaptured, the identity of each transferee subject to recapture and the amount of
1231 credit previously transferred to such transferee.

1232 (g) The director, in consultation with the secretary, may request that the commissioner
1233 disallow or recapture any portion of a credit if the director determines that a sponsor or the
1234 qualified homeownership development project (i) does not qualify for the credit; (ii) ceases to
1235 qualify for the credit or (iii) it is determined that the qualified project did not qualify for the
1236 credit at the time when such credit was claimed. Notwithstanding the time limitations on
1237 assessments pursuant to chapter 62C, the commissioner shall determine the taxpayer or taxpayers
1238 that claimed the credit, the tax against which the credit was claimed, and the amount to be
1239 recaptured and make an assessment against the taxpayer or taxpayers for the amount to be
1240 recaptured under this section.

1241 (h) The director may assess application, processing, and reporting fees to cover the cost
1242 of administering this section.

1243 (i) The secretary, in consultation with the commissioner and director, shall adopt any
1244 rules and promulgate any regulations necessary to implement this section.

1245 SECTION 23. Section 6O of said chapter 62 of the General Laws, as inserted by section
1246 22, is hereby amended by striking out paragraph (1) of subsection (b) and inserting in place
1247 thereof the following paragraph:-

1248 (1) There shall be a Massachusetts homeownership tax credit. The director, in
1249 consultation with the secretary, may authorize annually under this section together with section
1250 38NN of chapter 63 the total sum of: (i) the amount, if any, not authorized in the preceding
1251 calendar year; and (ii) any Massachusetts homeownership tax credits returned to the director by a
1252 sponsor.

1253 SECTION 24. Section 38EE of said chapter 63, as so appearing, is hereby amended by
1254 striking out, in lines 213 and 214, the words "\$12,000,000 in each of taxable years 2023 to 2025,
1255 inclusive" and inserting in place thereof the following words:- \$15,000,000 in taxable years
1256 beginning on or after January 1, 2025.

1257 SECTION 25. Chapter 63 of the General Laws is hereby amended by inserting after
1258 section 38N the following section:-

1259 Section 38NN. (a) For the purposes of this section, unless the context clearly requires
1260 otherwise, the following words shall have the following meanings:-

1261 "Affordability period", the ten-year period that commences on the date of the initial sale
1262 of a single-family dwelling constructed as part of a qualified project.

1263 "Affordability restriction", a restriction in form and substance approved by the Director
1264 and the Secretary, imposing resale restrictions on a single-family dwelling constructed as part of
1265 a qualified homeownership development project during the affordability period.

1266 “Credit amount”, the amount computed by the director under subsection (b) before
1267 issuing an eligibility certificate.

1268 “Commissioner”, the commissioner of revenue.

1269 “Credit award amount”, the amount determined by the director and stipulated in the
1270 notice sent pursuant to subsection (c).

1271 “Director”, the executive director of the Massachusetts Housing Finance Agency,
1272 established pursuant to chapter 708 of the acts of 1966.

1273 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1274 “Eligible location”, a geography in which qualified projects may be located, based on
1275 criteria established in the qualified homeownership allocation plan.

1276 “Homeownership development project”, a multi-unit homeownership development
1277 project in which not less than 20 per cent of the units are affordable at the time of initial sale to
1278 households having incomes equal to or less than 120 per cent of the area median income.

1279 “Maximum credit amount”, the amount equal to 35% of the lesser of: (i) the total
1280 qualified project expenditures or (ii) 80% of the median new home sales price, subject to such
1281 further limitations as may be established under the qualified homeownership credit allocation
1282 plan.

1283 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not
1284 exceeding 120% of the area median income, as determined by the United States Department of
1285 Housing and Urban Development, for the location in which the single-family dwelling being

1286 purchased is located, and that satisfies any additional qualifications established by the director
1287 under the qualified homeownership credit allocation plan.

1288 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the
1289 approval of the secretary, establishing (i) criteria and metrics under which homeownership
1290 development projects will be assessed for qualification and the geographies in which qualified
1291 projects may be located; (ii) criteria for approving and ranking applications for credits; (iii)
1292 methodology to determine applicable median new homes sales prices for the area in which the
1293 project is located; (iv) mechanisms to maintain affordability of each single-family dwelling
1294 created as part of a qualified homeownership development project, throughout the affordability
1295 period; (v) criteria to be used in determining qualification as a qualified buyer; (vi) the criteria
1296 governing the purchase, ownership and sale of completed qualified homeownership development
1297 project single-family dwellings; and (vii) the manner of determining qualified project
1298 expenditures.

1299 “Qualified homeownership development project”, a homeownership development project
1300 to develop single-family dwellings in the commonwealth that satisfies any qualifications
1301 established by the director with the approval of the secretary in the qualified homeownership
1302 credit allocation plan; provided, however, that the proposed project: (i) involves the new
1303 construction of 10 or more residential homeownership units; (ii) is located in an eligible location;
1304 and (iii) units shall be sold to qualified buyers, subject to an affordability restriction in
1305 accordance with the qualified homeownership credit allocation plan.

1306 “Qualified project expenditure”, an expenditure directly related to the construction of a
1307 qualified homeownership development project, including the cost of site assessment and

1308 remediation of hazardous materials, but excluding the purchase of the project, provided,
1309 however, that: (i) the department has certified that the proposed project meets the definition of
1310 qualified homeownership development project; (ii) prior to construction, the director has
1311 certified that all or a portion of the project costs are for new construction; and (iii) after the
1312 construction of the project has been completed, the director has certified that the project has been
1313 completed in compliance with this section and the requirements and conditions of any prior
1314 certifications.

1315 “Project development team”, the group of entities that develops, constructs, reports,
1316 appraises, finances, and services the associated properties of a qualified project in partnership
1317 with the project development owner.

1318 “Secretary”, the Secretary of the Executive Office of Housing and Livable Communities,
1319 established pursuant to chapter 23B.

1320 “Single-Family Dwelling”, (i) a residential property containing not more than 4
1321 residential units, or (ii) a condominium unit in a professionally managed condominium
1322 development.

1323 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified
1324 homeownership development project or owner of a qualified homeownership development
1325 project.

1326 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1327 (b) (1) There shall be a Massachusetts homeownership tax credit. The director, in
1328 consultation with the secretary, may authorize annually under this section together with section

1329 6O of chapter 62 the total sum of: (i) \$10,000,000 (ii) the amount, if any, not authorized in the
1330 preceding calendar year; and (iii) Massachusetts homeownership tax credits returned to the
1331 director by a sponsor.

1332 (2) A taxpayer may be allowed a nonrefundable state tax credit with respect to a qualified
1333 homeownership development project under this section equal to the credit amount listed on the
1334 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is
1335 unused by the taxpayer or exceeds the taxpayer's tax liability for that tax year, the taxpayer may
1336 carry forward and apply in any subsequent taxable year, the portion, as reduced from year to
1337 year, of those credits which exceed the tax for the taxable year; provided, however, that in no
1338 event shall the taxpayer apply the credit to the tax for any taxable year beginning after the
1339 affordability period.

1340 (3) To be eligible to receive a credit award pursuant to this section, a sponsor shall submit
1341 an application to the director pursuant to this section and on a form and in a manner prescribed
1342 by the director, in consultation with the secretary; provided that said application shall include,
1343 but not be limited to, the following: (i) the name and address of the sponsor; (ii) the names and
1344 addresses of all members of the project development team; (iii) an estimate of the total qualified
1345 project expenditures; and (iv) any other information as the director, in consultation with the
1346 secretary, may require pursuant to the qualified homeownership credit allocation plan.

1347 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and
1348 approve applications and award tax credits under this section for a qualified project in
1349 accordance with the qualified homeownership credit allocation plan. The director, in consultation

1350 with the secretary, shall determine the credit amount awarded for each qualified project, which
1351 shall not exceed the maximum credit amount.

1352 (2) The director shall send written notice of the tax credit award to the sponsor of a
1353 qualified homeownership development project. The notice shall stipulate that receipt of the credit
1354 is contingent upon the sale of all single-family dwellings that are required to be sold to qualified
1355 buyers and issuance of an eligibility certificate.

1356 (d)(1) Upon completion of a qualified homeownership development project for which a
1357 tax credit was awarded under this section and the sale of all single-family dwellings that are
1358 required to be sold to qualified buyers, the sponsor shall notify the director and provide a final
1359 qualified project expenditures certification for approval. Immediately after approving the final
1360 cost certification, the director shall compute the credit amount and issue an eligibility certificate
1361 to the project development owner. The credit amount, which shall be stated on the certificate,
1362 shall equal the credit award amount stated in the notice issued under subsection (c), subject to
1363 any reduction or increase as the result of the approval of the final qualified project expenditures
1364 certification; provided that such amount shall not exceed the maximum credit amount.

1365 (2) Each eligibility certificate shall state the credit amount, the years that comprise the
1366 affordability period, the name, address, and the taxpayer identification number of the sponsor
1367 and all members of the project development team along with the date the certificate is issued, a
1368 unique identifying number, and any additional information the director, in consultation with the
1369 secretary, may require. The director shall certify a copy of each eligibility certificate to the
1370 secretary and the commissioner.

1371 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development
1372 project and associated single-family dwellings until such dwellings are sold to qualified buyers.

1373 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified
1374 homeownership development project for which a tax credit was issued under this section shall
1375 occupy such single-family dwelling as the qualified buyer's primary residence during the
1376 affordability period. If a single-family dwelling constructed as part of a qualified project is sold
1377 during the affordability period, the seller shall transfer to the director an amount equal to 90
1378 percent of the gain from such resale, reduced by 10 percent for each year of the affordability
1379 period which ends before the date of such sale, subject to such additional criteria as may be
1380 established under the qualified homeownership credit allocation plan. The director shall use any
1381 amount received pursuant to a repayment under this paragraph for the purposes of providing
1382 financial assistance to first-time homebuyers and offsetting the costs of administering this
1383 section. The director may place a lien on each single-family dwelling constructed as part of a
1384 qualified homeownership development project for an amount it deems necessary to ensure
1385 potential repayment pursuant to this paragraph.

1386 (f) (1) all or any portion of tax credits issued in accordance with the provisions of this
1387 section may be transferred, sold or assigned to any individual or entity and the transferee shall be
1388 entitled to claim the credits pursuant to paragraph (2) of subsection (b) with the same effect as if
1389 the transferee had incurred the qualified project expenditures itself.

1390 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in
1391 paragraph (1) shall submit to the commissioner a statement which describes the amount of
1392 Massachusetts homeownership tax credit for which such transfer, sale or assignment of

1393 Massachusetts homeownership tax credit is eligible. Said sponsor shall provide to the
1394 commissioner appropriate information so that the homeownership tax credit can be properly
1395 allocated.

1396 (3) In the event that recapture of Massachusetts homeownership tax credits is required
1397 pursuant to subsection (g), any statement submitted to the commissioner as provided in
1398 paragraph (2) shall include the proportion of the Massachusetts homeownership tax credit
1399 required to be recaptured, the identity of each transferee subject to recapture and the amount of
1400 credit previously transferred to such transferee.

1401 (g) The director, in consultation with the secretary, may request that the commissioner
1402 disallow or recapture any portion of a credit if the director determines that a sponsor or the
1403 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to
1404 qualify for the credit or (iii) it is determined that the qualified project did not qualify for the
1405 credit at the time when such credit was claimed. Notwithstanding the time limitations on
1406 assessments pursuant to chapter 62C, the commissioner shall determine the taxpayer or taxpayers
1407 that claimed the credit, the tax against which the credit was claimed, and the amount to be
1408 recaptured and make an assessment against the taxpayer or taxpayers for the amount to be
1409 recaptured under this section.

1410 (h) The director may assess application, processing, and reporting fees to cover the cost
1411 of administering this section.

1412 (i) The secretary, in consultation with the commissioner and director, shall adopt any
1413 rules and promulgate any regulations necessary to implement this section.

1414 SECTION 26. Section 38NN of chapter 63, as inserted by section 25, is hereby amended
1415 by striking out paragraph (1) of subsection (b) and inserting the following paragraph:

1416 (1) There shall be a Massachusetts homeownership tax credit. The director, in
1417 consultation with the secretary, may authorize annually under this section together with section
1418 6O of chapter 62 the total sum of: (i) the amount, if any, not authorized in the preceding calendar
1419 year; and (ii) any Massachusetts homeownership tax credits returned to the director by a sponsor.

1420 SECTION 27. Section 52 of chapter 93 of the General Laws, as appearing in the 2022
1421 Official Edition, is hereby amended, in subsection (a), by inserting at the end thereof the
1422 following clause:- (7) eviction records sealed pursuant to section 15 of chapter 239.

1423 SECTION 28. Section 127I of chapter 111 of the General Laws, as appearing in the 2022
1424 Official Edition, is hereby amended by adding the following paragraph:-

1425 Following appointment of a receiver for a vacant residential property, the court, upon
1426 motion by the receiver with notice to the owner, mortgagee, and all interested parties, may allow
1427 for the sale of the property to a nonprofit entity for fair market value in its then current condition.
1428 Any such sale shall be conditioned upon the court finding that the nonprofit will correct all
1429 outstanding state sanitary code violations and rehabilitate the property for sale to a first-time
1430 homebuyer whose income is not more than 120 per cent of area median income as determined by
1431 the United States Department of Housing and Urban Development, provided that such nonprofit
1432 entity shall demonstrate to the court adequate expertise and resources necessary to rehabilitate
1433 the property and correct outstanding state sanitary code violations. Any such motion filed by a
1434 receiver under this paragraph shall be heard by the court not less than 30 days following the
1435 filing date, during which period the owner, mortgagee, and any other interested parties may join

1436 a motion for leave to correct all outstanding state sanitary code violations at the property. Upon a
1437 finding by the court that the owner, mortgagee, or other interested party has the intention and
1438 ability to correct all outstanding state sanitary code violations, the court shall stay the hearing on
1439 the receiver's motion for a reasonable period of time to allow the owner, mortgagee, or other
1440 interested party to correct such outstanding sanitary code violations.

1441 SECTION 29. Chapter 121B of the General Laws, as appearing in the 2022 Official
1442 Edition, is hereby amended by striking out section 3A and inserting in place thereof the
1443 following section:-

1444 Section 3A. (a) Any number of cities or towns may, with the approval of their respective
1445 municipal officers and of the department, create or disband by a contract subject to the approval
1446 of the department a regional housing authority, with all of the powers and obligations of the
1447 constituent authorities, to act in the place of the several housing authorities, if any, theretofore
1448 existing. Such contract shall set forth the rights, powers and obligations of the regional housing
1449 authority within the several cities or towns in which it is to operate. Any unresolved dispute
1450 which may arise as to the rights, powers or obligations conferred by such contract shall be
1451 referred to the department for resolution.

1452 (b) Notwithstanding the foregoing, or any general or special law to the contrary, 2 or
1453 more local housing authorities may, with the approval of their respective boards and of the
1454 department, merge to create a regional housing authority, with all the powers and obligations of
1455 the constituent authorities theretofore existing. Such creation of a regional housing authority by
1456 merger of two or more local housing authorities shall not require the use of special legislation
1457 pursuant to chapter 268A of the General Laws. The department shall issue guidelines for

1458 approving mergers of two or more local housing authorities pursuant to this subsection (b). Such
1459 guidelines shall include, but not be limited to, provisions for approving board structures of
1460 regional housing authorities created pursuant to this subsection and provisions for the creation
1461 and operation of a regional local preference to apply to residents of the cities or towns in which a
1462 regional housing authority created pursuant to this subsection is to operate.

1463 SECTION 30. Section 11 of said chapter 121B, as so appearing, is hereby amended by
1464 adding the following paragraph:-

1465 (p) Notwithstanding any general or special law to the contrary, a housing authority, with
1466 the approval of the department, in consultation with the Executive Office for Administration and
1467 Finance, may secure indebtedness incurred for the preservation, modernization and maintenance
1468 of 1 or more of its low rent housing developments assisted under section 32 or section 34 by a
1469 pledge of a portion of capital funds awarded to it for improvements to be carried out pursuant to
1470 a department-approved capital improvement plan in accordance with department regulations
1471 governing capital projects. The department, in consultation with said executive office, shall
1472 promulgate regulations that establish limitations on the percentage of awarded capital funds that
1473 may be pledged to secure indebtedness, describe permitted terms for borrowing and repayment
1474 and establish criteria for housing authorities that will be permitted to incur indebtedness secured
1475 by a pledge of capital funds. Any pledge of future year capital funds pursuant to this section is
1476 subject to the availability of funds under the department's capital spending plan as approved by
1477 the governor for that year. All financing documents related to future year capital fund amounts
1478 shall include a statement that the credit of the commonwealth is not pledged and that the
1479 pledging of funds is subject to the availability of funds under the department's capital spending
1480 plan as approved by the governor.

1481 SECTION 31. Subsection (a) of section 26C of said chapter 121B, as amended by section
1482 256 of chapter 7 of the acts of 2023, is hereby further amended by striking out, in lines 19 to 21,
1483 inclusive, the words “provided, however, that the capital assistance team shall provide services to
1484 the housing authority without requiring payment for the services by the housing authority” and
1485 inserting in place thereof the following words:- provided, however, that the capital assistance
1486 team shall provide services to a housing authority with 500 or fewer state-aided units without
1487 requiring payment for the services by such housing authority; and provided further, that the
1488 capital assistance team may require payment for services provided to a housing authority with
1489 more than 500 state-aided units and for additional services not covered by this section and
1490 approved by the department.

1491 SECTION 32. Said section 26C of said chapter 121B, as so amended, is hereby further
1492 amended by striking out subsection (e) and inserting in place thereof the following subsection:-

1493 (e) There shall be a capital assistance advisory board consisting of 7 members. Each of
1494 the 3 capital assistance teams shall appoint 2 members to the advisory board; and the department
1495 shall appoint 1 member, who shall have at least 5 years of experience as the manager of not less
1496 than 200 units of privately owned housing. The department shall limit eligibility for appointment
1497 to members of participating housing authorities in the region. The advisory board shall meet on
1498 an annual basis with the capital assistance team directors, host housing authority directors and
1499 the secretary of the executive office of housing and livable communities or a designee and shall
1500 discuss issues of program performance and coordination.

1501 SECTION 33. Section 29 of said chapter 121B of the General Laws, as amended by
1502 section 127 of chapter 268 of the acts of 2022, is hereby further amended by striking out the first

1503 sentence and inserting in place thereof the following sentence:- The members of a housing
1504 authority shall biennially, or more frequently as required by the department and at a time to be
1505 determined by said department, file with said department a written report for its preceding fiscal
1506 years since its last previously filed written report.

1507 SECTION 34. The first paragraph of said section 29 of said chapter 121B, as so
1508 amended, is hereby further amended by adding the following sentence:- Notwithstanding the
1509 foregoing, nothing in this section shall exempt a housing authority from submitting an annual
1510 plan pursuant to section 28A and this section.

1511 SECTION 35. Section 34 of said chapter 121B, as amended by section 130 of chapter
1512 268 of the acts of 2022, is hereby amended by striking out the fourteenth paragraph, as inserted
1513 by section 130 of chapter 268 of the acts of 2022, and inserting in place thereof the following
1514 paragraph:-

1515 Notwithstanding any general or special law to the contrary, (a) construction and
1516 development activity related to development or redevelopment of state-aided or federally-aided
1517 public housing projects or where the land, buildings or structures associated with such housing
1518 project will be or have been conveyed or transferred to an affiliated non-profit or private entity
1519 for purposes of completing the development or redevelopment, or (b) construction and
1520 development activity related to other housing development by a housing authority or affiliate on
1521 land owned by the housing authority shall not be subject to any general or special law related to
1522 the procurement and award of contracts for the planning, design, construction management,
1523 construction, reconstruction, installation, demolition, maintenance or repair of buildings by a
1524 public agency provided, however, that the department shall review and approve the procurement

1525 processes used to undertake this development or redevelopment in accordance with subsection
1526 (q) of section 26; and provided further, that all construction, reconstruction, alteration,
1527 installation, demolition, maintenance or repair shall be subject to sections 26 to 27F, inclusive
1528 and as applicable, and section 29 of chapter 149. A project involving the development or
1529 redevelopment of a state-aided or federally-aided public housing project procured prior to a
1530 conveyance or transfer to an affiliated non-profit or private entity shall not proceed with
1531 construction unless and until the conveyance or transfer to the affiliated non-profit or private
1532 entity has occurred. The housing authority shall request rates and updates from the division of
1533 labor standards for these projects. Nothing herein contained shall, by itself, subject a privately-
1534 owned and developed project on land formerly owned by a housing authority to sections 26 to
1535 27F, inclusive or section 29 of chapter 149.

1536 SECTION 36. Said section 34 of said chapter 121B, as so amended, is hereby further
1537 amended by adding the following paragraph:-

1538 Notwithstanding any general or special law to the contrary, the tenants of a state-aided or
1539 federally-aided public housing project transferred or conveyed pursuant to the fourteenth
1540 paragraph of this section shall maintain rights pursuant to the provisions of the federal, state, and
1541 local subsidy programs originally applicable to the project including tenant contribution, lease
1542 terms, eviction, right to return, grievance, resident participation, preference in hiring, and privacy
1543 rights, except as may be required to secure financing necessary for the feasibility of the project,
1544 or to meet associated programmatic eligibility requirements after notice to affected tenants with
1545 an opportunity to comment. The redevelopment of such project shall not be the basis for
1546 termination or reduction of assistance or eviction of any tenant, and no existing tenant shall be
1547 considered a new admission for any purpose, including compliance with any income targeting

1548 requirements. Any such project shall have at least the same number of low rent housing units as
1549 the number of low rent housing units in the existing project. The requirements under this
1550 paragraph shall be implemented through contracts, use agreements, regulations or other means,
1551 as determined by the executive office of housing and livable communities, provided that such
1552 contracts, use agreements, regulations or other means shall delineate: (i) the roles of the housing
1553 authority and other agencies in monitoring and enforcing compliance, including tracking
1554 temporary and permanent displacement; (ii) how the housing authority will rehouse tenants so
1555 there is no displacement from affordable housing programs operated by the housing authority
1556 and (iii) how tenants will be provided with technical assistance to facilitate meaningful input
1557 related to the redevelopment of the proposed project. The benefits of any such contracts, use
1558 agreements, regulations or other means shall inure to any tenant who occupied a unit within the
1559 project at the time of the transfer or conveyance of the project. Protections relating to tenant
1560 contribution, lease terms, eviction, grievance, resident participation, preference in hiring, and
1561 privacy rights, except as may be required to secure financing necessary for the feasibility of the
1562 project, or to meet associated programmatic eligibility requirements, shall inure to both present
1563 or future tenants or applicants of the project, who shall have the right to enforce the same as
1564 third-party beneficiaries. Nothing in this section is intended to create a separate or new
1565 administrative process of appeal or review for any grievance governed by the lease of any tenant.
1566 Tenants shall have an opportunity for comment on a project proposed under paragraph fourteen
1567 and an opportunity for public comment to be organized by the owners, controlled entities,
1568 designated private entities, or public housing authorities responsible for such projects with
1569 adequate notice.

1570 SECTION 37. Subsection (b) of section 3 of chapter 121E of the General Laws, as
1571 appearing in the 2022 Official Edition, is hereby amended by striking out clause (3) and inserting
1572 in place thereof the following clause:-

1573 (3) issued only if a contract or agreement for the use of the property for housing purposes
1574 provides for the recording of a restriction in the registry of deeds or the registry district of the
1575 land court in the county in which the affected real property is located, for the benefit of the
1576 department, running with the land, that the land be used for providing alternative forms of rental
1577 and ownership housing; provided further, that the property shall not be released from the
1578 restriction until: (i) the balance of the principal and interest for the loan shall be repaid in full;
1579 (ii) a mortgage foreclosure deed shall be recorded; or (iii) there has been a disposition of the
1580 property, provided that the department of housing and community development determines that
1581 relevant clients will be better served at an alternative property and the proceeds from the
1582 disposition of the property will be used, to the extent necessary for replacement of the housing at
1583 the property, for one or more of the following purposes: (A) to acquire such alternative property
1584 and (B) to rehabilitate such alternative property;

1585 SECTION 38. Said subsection (b) of said section 3 of said chapter 121E, as so appearing,
1586 is hereby further amended by striking out, in clause (4) the words “provided that the project
1587 continues to remain affordable housing as set forth in the contract or agreement entered into for
1588 the duration of the project by the department” and inserting in place thereof the following
1589 words:- provided that the project, whether at the original property, or at an alternative property
1590 pursuant to clause (3) of this item, continues to remain affordable housing as set forth in the
1591 contract or agreement entered into for the duration of the project by the department

1592 SECTION 39. Section 2 of chapter 121F of the General Laws, as appearing in the 2022
1593 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof
1594 the following subsection:-

1595 (a) There shall be within the department a separate fund to be known as the Housing
1596 Stabilization and Investment Trust Fund. The department shall administer the fund and shall
1597 ensure that funds are distributed among urban, suburban and rural areas with a particular
1598 emphasis on development of alternative forms of housing and on local and regional needs. Such
1599 funds shall be used for the purpose of undertaking projects to develop and support affordable
1600 housing developments and homeownership affordability, through the acquisition, preservation,
1601 new construction and rehabilitation of affordable housing, including without limitation the
1602 preservation and improvement of existing privately-owned, state or federally-assisted housing.
1603 The program may include assistance for projects to stabilize and promote reinvestment in cities
1604 and towns including, but not limited to, preserving and improving existing privately-owned, state
1605 or federally-assisted housing and any other techniques necessary to achieve reinvestment;
1606 provided, further, that funds from this item may be expended for the purpose of energy audits
1607 and housing modifications to achieve energy efficiency and conservation. The program also may
1608 include assistance for housing where the expiration of federal or state low-income housing tax
1609 credits or other federal or state subsidies would lead or has led to the termination of a use
1610 agreement for low-income housing or in which a project-based rental assistance contract is
1611 expiring or has expired. The fund shall be an expendable trust fund and shall not be subject to
1612 appropriation.

1613 SECTION 40. Said section 2 of said chapter 121F, as so appearing, is hereby further
1614 amended by striking out, in line 28 the words “nonprofit or for-profit organizations” and

1615 inserting in place thereof the following words:- eligible entities pursuant to subsection (a) of
1616 section 3”.

1617 SECTION 41. Said section 2 of said chapter 121F, as so appearing, is hereby further
1618 amended by striking out, in lines 35 to 38, inclusive, the words “or the Community Economic
1619 Development Assistance Corporation established in chapter 40H to provide assistance from the
1620 fund for projects owned or sponsored by nonprofit organizations” and inserting in place thereof
1621 the following words:- to provide assistance from the fund.

1622 SECTION 42. Section 3 of said chapter 121F, as so appearing, is hereby amended by
1623 striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

1624 (a) The fund shall finance low and no interest loans, grants, subsidies, credit
1625 enhancements and other financial assistance for rental and ownership housing; provided,
1626 however, that assistance shall be the minimum amount necessary to make a project feasible;
1627 provided further, that loans, grants, subsidies, credit enhancements and other financial assistance
1628 pursuant to this chapter may be provided to qualified for-profit or non-profit developers,
1629 community development corporations, local housing authorities, community action agencies,
1630 community-based or neighborhood-based non-profit housing organizations, other non-profit
1631 organizations and for-profit entities, and governmental bodies; and provided further, that
1632 recipients may enter into subcontracts to administer the contracts with other for-profit or
1633 nonprofit organizations; provided further, that loans, grants, subsidies, credit enhancements and
1634 other financial assistance pursuant to this chapter may be provided for the acquisition of
1635 property to provide or preserve affordable housing; provided, however, that the loan program
1636 may be administered by the department through contracts with the Massachusetts Housing

1637 Partnership Fund established in section 35 of chapter 405 of the acts of 1985; provided further,
1638 that the program may include acquisition, financing and other holding costs, interim management
1639 costs and operating costs and may also be used by the Massachusetts Housing Partnership Fund
1640 to secure, collateralize or reserve against other financing obtained by the Massachusetts Housing
1641 Partnership Fund to support those costs; provided further, that not less than 75 per cent of the
1642 beneficiaries of the housing shall be persons whose income is not more than 60 per cent of the
1643 area median income and not less than 13 per cent of the beneficiaries of the housing shall be
1644 persons whose income is not more than 30 per cent of that area median income.

1645 (b) Activities eligible for assistance from the fund shall include, but not be limited to: (1)
1646 projects to develop and support affordable housing developments and homeownership
1647 affordability, through the acquisition, preservation, new construction and rehabilitation of
1648 affordable housing; (2) the preservation of affordable housing developments which are or were
1649 subject to prepayment or payment of a state or federally-assisted mortgage or which are
1650 receiving project-based rental assistance under section 8 of the United States Housing Act of
1651 1937, 42 U.S.C. section 1437f, and the rental assistance is expiring or which have received other
1652 project-based federal or state subsidies which are terminating or have terminated; provided,
1653 however, that property eligible for assistance shall include housing where the prepayment or
1654 payment of a state or federally-assisted mortgage or the expiration of federal low income housing
1655 tax credits or other federal or state subsidies would lead or has led to the termination of a use
1656 agreement for low income housing or in which a project-based rental assistance contract is
1657 expiring or has expired; provided however, a property eligible for assistance that has been
1658 acquired for the purpose of preserving or improving the property shall not lose eligibility due to
1659 actions by the purchaser to renew or extend state or federal contracts or subsidies; provided

1660 further, that the department, in consultation with nonprofit organizations, the Community
1661 Economic Development Assistance Corporation, the Massachusetts Housing Finance Agency
1662 and the Massachusetts Housing Partnership Fund shall identify those projects at greatest risk of
1663 prepayment, payment, termination of subsidies and use restrictions, or nonrenewal of rental
1664 assistance; provided further, that funding priority shall be based on at-risk criteria to be
1665 determined by the department and set forth in regulations promulgated by the department;

1666 SECTION 43. Said section 3 of said chapter 121F, as so appearing, is hereby further
1667 amended by striking out subsection (d) and inserting in place thereof the following subsection:-

1668 (d) Prior to providing assistance, the department shall find that: (1) the housing would
1669 not, by private enterprise alone and without government assistance, be available to lower income
1670 families and individuals; (2) the amount of assistance appears to be the minimum amount
1671 necessary to make the housing development feasible; (3) with respect to rental housing, the
1672 operations of the owner and its articles of organization and by-laws and any changes to either
1673 shall be subject to regulation by the department; and (4) the housing shall remain affordable for
1674 its useful life as determined by the department.

1675 SECTION 44. Section 5 of said chapter 121F, as so appearing, is hereby amended by
1676 striking out, in lines 2 to 5, inclusive, the words “including, but not limited to, regulations
1677 relative to grants to cities and towns for the demolition of certain vacant and abandoned
1678 buildings and procedures for neighborhood revitalization plans”.

1679 SECTION 45. The General Laws are hereby amended by inserting after chapter 121G the
1680 following chapter:-

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1682

CHAPTER 121H
SUPPORTIVE HOUSING POOL FUND

1683 Section 1. As used in this chapter the following words shall, unless the context clearly
1684 requires otherwise, have the following meanings:--

1685 “Executive Office”, the executive office of housing and livable communities.

1686 “Fund”, The Supportive Housing Pool Fund established in section 2.

1687 “Permanent supportive housing”, rental housing that includes supportive services for
1688 individuals and families who may be homeless or chronically homeless, individuals and families
1689 with behavioral health needs or substance addiction needs, survivors of domestic violence,
1690 survivors of human trafficking, survivors of sexual violence, individuals and families at risk of
1691 entering or transitioning out of the foster care system, youth and young adults, seniors and
1692 veterans, or other similar need as determined by the executive office.

1693 Section 2. (a) There shall be a Supportive Housing Pool Fund to support the production
1694 of permanent supportive housing.

1695 (b) The fund shall be administered by the executive office directly or through contracts
1696 with 1 or more of the following: (i) the Community Economic Development Assistance
1697 Corporation, established in chapter 40H of the General Laws; (ii) the Massachusetts Housing
1698 Partnership Fund, established in section 35 of chapter 405 of the acts of 1985; (iii) the
1699 Massachusetts Housing Finance Agency, established in chapter 708 of the acts of 1966; provided
1700 that an administrating agency may directly offer financial assistance for the purposes set forth
1701 herein or may enter into subcontracts with non-profit organizations, established pursuant to

1702 chapter 180 of the General Laws for those purposes; provided further, that the administering
1703 agency may establish additional program requirements through regulations or policy guidelines.

1704 (c) There shall be credited to the fund, revenue from appropriations or other money
1705 authorized by the general court and specifically designated for the fund and any gifts, grants,
1706 private contributions, repayment of loans, fees and charges imposed relative to the making of
1707 loans, grants, subsidies, credit enhancements and other financial assistance, investment income
1708 earned on the fund's assets and any other sources. Money remaining in the fund at the end of a
1709 fiscal year shall not revert to the General Fund.

1710 Section 3. Funds expended pursuant to this chapter shall be in the form of grants, loans or
1711 other financial assistance to projects and organizations that will provide stable housing options
1712 and supportive services to residents of permanent supportive housing, which may include, but
1713 not be limited to, staffing, case management, service coordination, or other tenancy-related
1714 services provided by a project sponsor or through a third-party, or other services or activities that
1715 the executive office has determined are essential to the day-to-day operation of permanent
1716 supportive housing.

1717 Section 4. The executive office may promulgate regulations for the implementation,
1718 administration and enforcement of this chapter and may, in consultation with the executive office
1719 of health and human services, the executive office of elder affairs, the department of children and
1720 families, and the office of victim assistance, issue guidelines for the fund.

1721 SECTION 46. Section 5 of chapter 161A of the General Laws, as most recently amended
1722 by chapter 7 of the acts of 2023, is hereby further amended by inserting, after the words
1723 “paragraph (o)”, the following words:- Any agreement related to any concession or lease of

1724 property may require that the developer construct, design, build, finance, operate, and maintain,
1725 or any combination thereof, mass transportation facilities or any related facility or component
1726 thereof for the authority, so long as the authority shall state in its bid documentation that such
1727 mass transportation facilities or related facility or component thereof will be accepted or required
1728 as a part of any such agreement. No further procurement or advertising requirements shall be
1729 required by the Authority, except as required by subsection (b) and this subsection.

1730 SECTION 47. Chapter 239 of the General Laws is hereby amended by adding the
1731 following section:-

1732 Section 15. (a) For the purposes of this section, the following words shall have the
1733 following meanings unless the context clearly requires otherwise:-

1734 “Consumer report”, written, oral or other communication of any information by a
1735 consumer reporting agency bearing on a person’s credit worthiness, credit standing or credit
1736 capacity that is used or expected to be used or collected in whole or in part for the purpose of
1737 serving as a factor in establishing the person’s eligibility for rental housing or other purposes
1738 authorized under section 51 of chapter 93.

1739 “Consumer reporting agency”, individual, partnership, corporation, trust, estate,
1740 cooperative, association, government or governmental subdivision or agency, or other entity that,
1741 for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in
1742 part in the practice of assembling or evaluating consumer credit information or other information
1743 on consumers for the purpose of furnishing consumer reports to third parties.

1744 “Court”, the trial court of the commonwealth established pursuant to section 1 of chapter
1745 211B and any departments or offices established within the trial court.

1746 “Court record”, paper or electronic records or data in any communicable form compiled
1747 by, on file with or in the care custody or control of, the court, that concern a person and relate to
1748 the nature or disposition of an eviction action or a lessor action.

1749 “Eviction action”, a summary process action under this chapter to recover possession of
1750 residential premises, a civil action under section 19 of chapter 139 to obtain an order requiring a
1751 tenant or occupant to vacate residential premises, a civil action brought pursuant to sections 11,
1752 12 or 13 of chapter 186 or subsection (a) of section 4 of chapter 186A or any other civil action
1753 brought against a tenant or occupant of residential premises to obtain possession of or exclusive
1754 access to the residential premises.

1755 “Fault eviction”, an eviction action brought pursuant to clause (ii) of subsection (a) of
1756 section 4 of chapter 186A, section 19 of chapter 139 or an eviction action in which the notice to
1757 quit, notice of termination or complaint alleges a material violation of the terms of a residential
1758 tenancy or occupancy, including nonpayment of rent and failure to vacate following the
1759 termination or conclusion of a tenancy by the tenant or occupant; provided further, that an action
1760 brought after termination of a tenancy for economic, business, or other reasons not constituting a
1761 violation of the terms of the tenancy shall not be deemed a fault eviction for purposes of this
1762 section.

1763 “Lessor action”, any civil action brought against the owner, manager or lessor of
1764 residential premises by the tenant or occupant of such premises relating to or arising out of such
1765 property, rental, tenancy or occupancy for breach of warranty, breach of any material provision
1766 of the rental agreement or violation of any other law.

1767

1768 “No-fault eviction”, any eviction action in which the notice to quit, notice of termination
1769 or complaint does not include an allegation of nonpayment of rent or violation of any material
1770 term of the tenancy by the tenant or occupant; provided further that “no-fault eviction” shall
1771 include an action brought after termination of a tenancy for economic, business or other reasons
1772 not constituting a violation of the terms of the tenancy.

1773 (b) Any person having a court record of a fault eviction or lessor action other than a no-
1774 fault eviction on file in a court may, on a form furnished by the trial court and signed under the
1775 penalties of perjury, petition the court to seal the court record. The petition shall be filed in the
1776 same court as the action sought to be sealed. If an action was active in more than one court
1777 during its pendency, then a petition may be filed in each such court. The court may require notice
1778 to parties to the original action; provided however, that notice shall not be required if the conduct
1779 resulting in the eviction was the conduct of a person who is no longer a member of the
1780 household.

1781 In the case of an eviction action or lessor action solely for nonpayment of rent, the court
1782 shall comply with the petitioner’s request under this subsection if the petitioner has satisfied the
1783 judgment for such nonpayment pursuant to subsection (i) and no eviction action or lessor action
1784 has been brought against the petitioner within the commonwealth in the 3 years preceding such
1785 request. In the case of an eviction action or lessor action under this subsection other than for
1786 nonpayment of rent, the court may, in its discretion, comply with the petitioner’s request under
1787 this subsection if the court record for an eviction action or lessor action which the petitioner
1788 seeks to seal has concluded, including exhaustion of all rights of appeal, not less than 7 years
1789 prior to the petitioner’s request and no eviction action or lessor action has been brought against
1790 the petitioner within the commonwealth in the 3 years preceding such request.

1791 Notwithstanding the foregoing 2 paragraphs, the court may, in its discretion, (i) process a
1792 petition under this subsection administratively without a hearing, or (ii) waive any requirement
1793 under this subsection upon a determination by the court that such waiver is in the interest of
1794 justice and public safety.

1795 (c) Any person having a court record of a no-fault eviction on file in a court may petition
1796 the court to seal the court record at any time after the conclusion of the action and exhaustion of
1797 all rights of appeal. The petition shall be on a form furnished by the trial court, signed under the
1798 penalties of perjury and filed in the same court as the original petition for sealing. . If an action
1799 was active in more than 1 court during its pendency, then a petition may be filed in any such
1800 court. Notice shall be given to parties to the original action. The court shall comply with the
1801 petitioner's request if the court record pertains solely to a no-fault eviction and the action has
1802 concluded with all rights of appeal exhausted. If no such objection is filed by a party within 7
1803 days of filing the petition, the court may, in its discretion, process the petition administratively
1804 without a hearing.

1805 (d) Upon motion and for good cause shown, or as otherwise authorized by this section,
1806 court records sealed under this section may be, at the discretion of the court and upon a balancing
1807 of the interests of the litigants and the public against the interests of the requesting party, made
1808 available for public safety, scholarly, educational, journalistic or governmental purposes only;
1809 provided, however, that the personal identifying information of the parties involved in the action,
1810 shall remain sealed unless the court determines that release of such information is appropriate
1811 under this subsection and necessary to fulfill the purpose of the request. Nothing in this
1812 subsection shall be deemed to permit the release of personal identifying information for
1813 commercial purposes.

1814 (e) Nothing in this section shall prohibit the dissemination of information contained in a
1815 court record sealed pursuant to this section as the court deems necessary or appropriate: (i) for
1816 the collection of a money judgment; (ii) to pursue a criminal investigation; (iii) to pursue a
1817 criminal prosecution; or (iv) where information in the sealed record was entered into evidence in
1818 a criminal prosecution that resulted in a criminal charge.

1819 (f) Nothing in this section shall prohibit a person or their representative from petitioning
1820 the court to obtain access to a court record sealed under this section in which the person is a
1821 party.

1822 (g) A consumer reporting agency shall not disclose the existence of, or information
1823 regarding, a court record sealed under this section or use information contained in such court
1824 record as a factor to determine any score or recommendation to be included in a consumer report
1825 unless such court record was available for inspection by the court within 30 days of the report
1826 date. A consumer reporting agency may include in a consumer report information found in
1827 publicly available court records, provided, however, that the consumer report shall include a
1828 person's full name, whether an eviction action was a fault eviction, a no-fault eviction or a lessor
1829 action, and the outcome of any eviction action if such information is contained in the publicly
1830 available court record. All information contained in a court record sealed under this section shall
1831 be removed from the consumer report or from the calculation of any score or recommendation to
1832 be included in a consumer report within 30 days of the sealing of the court record from which it
1833 is derived. Any consumer reporting agency that violates this subsection shall be liable in tort, in a
1834 court of competent jurisdiction, to the person who is the subject of the consumer report in an
1835 amount equal to the sum of any actual damages sustained by the consumer because of such
1836 violation, or for \$100 per day of such violation, whichever is greater, and the costs of the action,

1837 including reasonable attorney’s fees. The office of the attorney general of the commonwealth
1838 may enforce the provisions of this subsection and the remedies provided hereunder shall not be
1839 exclusive. Nothing in this subsection shall be deemed to waive the rights or remedies of any
1840 person under any other law or regulation.

1841 (h) An application used to screen applicants for housing or credit that seeks information
1842 concerning prior eviction actions or lessor actions of the applicant shall include the following
1843 statement:

1844 “An applicant for housing or credit with a sealed record on file with the court pursuant to
1845 section 15 of chapter 239 of the General Laws may answer ‘no record’ to an inquiry relative to
1846 that sealed court record.”

1847 No party shall be liable for any violation of the foregoing provision unless such party has
1848 first been issued a written warning from the office of the attorney general of the commonwealth
1849 and has failed to address the violation within 90 days of such notice. The petition provided by
1850 the court for the sealing of records pursuant to this section and any order granting such petition
1851 shall contain the following notice:

1852 “An applicant for housing or credit with a sealed record on file with the court pursuant to
1853 section 15 of chapter 239 of the General Laws may answer ‘no record’ to an inquiry relative to
1854 that sealed court record.”

1855 i) A party who obtains a judgment or enters into an agreement in an eviction action solely
1856 for nonpayment of rent, shall, not more than 14 days after satisfaction of the judgment or
1857 agreement, file with the court in which the judgment or agreement was entered a notice of
1858 satisfaction of the judgment or agreement. A party that has satisfied such judgment or agreement

1859 may, upon noncompliance with this subsection by the other party, file a petition for the judgment
1860 or agreement to be deemed satisfied, with notice to the parties to such action. The court shall
1861 comply with the petitioner’s request under this subsection, provided, that the record only pertains
1862 to an action for nonpayment of rent and the judgment or agreement has been satisfied. If no
1863 objection is filed by a party within 7 days of filing the petition, such court may, in its discretion,
1864 process such petitions administratively without a hearing. Upon the filing of a notice of
1865 satisfaction of judgment or an agreement, or court judgment deeming the judgment or agreement
1866 satisfied, a party may, pursuant to and subject to the time frames set forth in subsection (b),
1867 petition the court to seal the court record pertaining to that action.

1868 SECTION 48. Section 3 of chapter 708 of the acts of 1966, as amended by section 43 of
1869 chapter 204 of the acts of 1996, is hereby further amended by striking out, in the first sentence,
1870 the words “department of housing and community development” and inserting in place thereof
1871 the following words:- executive office of housing and livable communities

1872 SECTION 49. The second paragraph of said section 3 of said chapter 708, as amended, is
1873 hereby further amended by striking out, in the first sentence, the words “director of housing and
1874 community development” and inserting in place thereof the following words:- secretary of
1875 housing and livable communities

1876 SECTION 50. Subsection (a) of section 35 of chapter 405 of the acts of 1985, as
1877 amended by section 47 of chapter 204 of the acts of 1996, is hereby amended by striking out the
1878 words “department of housing and community development” and inserting in place thereof the
1879 following words:- executive office of housing and livable communities

1880 SECTION 51. Said subsection (a) of said section 35 of said chapter 405, as amended, is
1881 hereby further amended by striking out the words “secretary of communities and development”
1882 and inserting in place thereof the following words:- secretary of housing and livable
1883 communities

1884 SECTION 52. Item 3722-8899 of section 2 of chapter 494 of the acts of 1993 is hereby
1885 amended by striking out, in clause (2), the words “provided, that said property shall not be
1886 released from such restriction unless and until the balance of the principal and interest for said
1887 loan is repaid in full or unless and until a mortgage foreclosure deed is recorded;” and inserting
1888 in place thereof the following words:- provided, that said property shall not be released from
1889 such restriction unless and until: (i) the balance of the principal and interest for said loan is
1890 repaid in full; (ii) a mortgage foreclosure deed is recorded; or (iii) the disposition of the
1891 property, provided that the department of housing and community development determines that
1892 relevant clients will be better served at an alternative property and the proceeds from the
1893 disposition of the property will be used, to the extent necessary for replacement of the housing at
1894 the property, for one or more of the following purposes: (A) to acquire such alternative property
1895 and (B) to rehabilitate such alternative property;

1896 SECTION 53. Item 4000-8200 of section 2 of chapter 52 of the acts of 1993, as amended
1897 by chapter 244 of the acts of 2002, is hereby further amended by striking out, in clause (3) the
1898 words “provided, that the property shall not be released from such restrictions until the balance
1899 of the principal and interest for the loan is repaid in full or until a mortgage foreclosure deed is
1900 recorded” and inserting in place thereof the following words:- provided, that the property shall
1901 not be released from such restrictions unless: (i) the balance of the principal and interest for the
1902 loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has

1903 been a disposition of the property, provided that the department of housing and community
1904 development, in consultation with the department of mental health and the department of
1905 developmental services, determines that relevant clients will be better served at an alternative
1906 property and the proceeds from the disposition of the property will be used, to the extent
1907 necessary for replacement of the housing at the property, for one or more of the following
1908 purposes: (A) to acquire such alternative property and (B) to rehabilitate such alternative
1909 property

1910 SECTION 54. Said item 4000-8200 of said section 2 of said chapter 52, as amended, is
1911 hereby further amended by striking out, in clause (4), the words “that the project shall continue
1912 to remain affordable housing for the duration of the loan term” and inserting in place thereof the
1913 following:- that the project, whether at the original property, or at an alternative property
1914 pursuant to clause (3) of this item, shall remain affordable housing for the duration of the loan
1915 term.

1916 SECTION 55. Said item 4000-8200 of said section 2 of said chapter 52, as amended, is
1917 hereby further amended by striking out clauses (6) to (9), inclusive, and inserting in place thereof
1918 the following two clauses:-

1919 (6) said loans shall be provided only for projects conforming to the provisions of this act;
1920 and

1921 (7) said loans shall be issued in accordance with a facilities consolidation plan prepared
1922 by the secretary of health and human services, reviewed and approved by the secretary of
1923 communities and development and filed with the secretary for administration and finance and the
1924 house and senate committees on ways and means; provided, that no expenditures shall be made

1925 pursuant to this item without the prior approval of the secretary for administration and finance;
1926 provided further, that not more than ten million dollars may be expended from this item for a
1927 pilot program of community-based housing loans to serve mentally ill homeless individuals in
1928 the current or former care of said department of mental health; provided further, that in
1929 implementing said pilot program, said department shall take due consideration of a balanced
1930 geographic plan when establishing community-based residences; provided further, that said
1931 housing services made available pursuant to such loans shall not be construed as a right or an
1932 entitlement for any individual or class of persons to the benefits of said pilot program; provided
1933 that eligibility for said pilot program shall be established by regulations promulgated by the said
1934 department.

1935 SECTION 56. Said item 3722-8899 of said section 2 of said chapter 494 is hereby further
1936 amended by striking out, in clause (4), the words “provided, that the project continues to remain
1937 affordable housing as set forth in the contract or agreement entered into for the duration of the
1938 project by the department;” and inserting in place thereof the following words:- provided, that
1939 that the project, whether at the original property, or at an alternative property pursuant to clause
1940 (2) of this item, continues to remain affordable housing as set forth in the contract or agreement
1941 entered into for the duration of the project by the department;

1942 SECTION 57. Said item 3722-8899 of said section 2 of said chapter 494, as amended is
1943 hereby further amended by striking out clause (6) to (8), inclusive, and inserting in place thereof
1944 the following clause:-

1945 and (6) said department shall take due consideration of a balanced geographic plan for
1946 such alternative forms of housing when issuing said loans;

1947 SECTION 58. Section 16 of chapter 179 of the acts of 1995 is hereby amended by
1948 striking out, in the first paragraph, the words “in the form of mobile vouchers” and inserting in
1949 place thereof the following words:- in the form of either mobile vouchers or project based
1950 vouchers.

1951 SECTION 59. Section 12 of chapter 257 of the acts of 1998 is hereby amended by
1952 striking out clause (2) and inserting in place thereof the following clause:-

1953 (2) such loans shall only be issued when a contract or agreement for the use of the
1954 property for the purposes of such housing provides for the recording of a restriction in the
1955 registry of deeds or the registry district of the land court in the county in which the affected real
1956 property is located, for the benefit of said department, running with the land, that the land be
1957 used for the purpose of providing alternative forms of rental and ownership housing. Such
1958 property shall not be released from such restriction until: (i) the balance of the principal and
1959 interest for any such loan shall be repaid in full; (ii) a mortgage foreclosure deed shall be
1960 recorded; or (iii) there has been a disposition of the property, provided that the department of
1961 housing and community development determines that relevant clients will be better served at an
1962 alternative property and the proceeds from the disposition of the property will be used, to the
1963 extent necessary for replacement of the housing at the property, for one or more of the following
1964 purposes: (A) to acquire such alternative property and (B) to rehabilitate such alternative
1965 property;

1966 SECTION 60. Said section 12 of said chapter 257 is hereby further amended by striking
1967 out, in clause (3), the words “provided, that the project continues to remain affordable housing as
1968 set forth in the contract or agreement entered into for the duration of the project by the

1969 department;” and inserting in place thereof the following words:- provided, that the project,
1970 whether at the original property, or at an alternative property pursuant to clause (2) of this item,
1971 continues to remain affordable housing as set forth in the contract or agreement entered into for
1972 the duration of the project by the department.

1973 SECTION 61. Said section 12 of said chapter 257 is further hereby amended by striking
1974 out clause (5) to (7), inclusive, and inserting in place thereof the following clause:-

1975 and (5) said department shall take due consideration of a balanced geographic plan for
1976 such alternative forms of housing when issuing such loans.

1977 SECTION 62. Section 5 of chapter 244 of the acts of 2002 is hereby amended by striking
1978 out clause (2) and inserting in place thereof the following clause:-

1979 (2) such loans shall only be issued when a contract or agreement for the use of the
1980 property for the purposes of such housing provides for the recording of a restriction in the
1981 registry of deeds or the registry district of the land court in the county in which the affected real
1982 property is located, for the benefit of said department, running with the land, that the land be
1983 used for the purpose of providing alternative forms of rental and ownership housing. Such
1984 property shall not be released from such restriction until: (i) the balance of the principal and
1985 interest for any such loan shall be repaid in full; (ii) a mortgage foreclosure deed shall be
1986 recorded; or (iii) there has been a disposition of the property, provided that the department of
1987 housing and community development determines that relevant clients will be better served at an
1988 alternative property and the proceeds from the disposition of the property will be used, to the
1989 extent necessary for replacement of the housing at the property, for one or more of the following

1990 purposes: (A) to acquire such alternative property and (B) to rehabilitate such alternative
1991 property;

1992 SECTION 63. Said section 5 of said chapter 244 is hereby further amended by striking
1993 out, in clause (3), the words “provided that the project continues to remain affordable housing as
1994 set forth in the contract or agreement entered into for the duration of the project by the
1995 department” and inserting in place thereof the following words:- provided that the project,
1996 whether at the original property, or at an alternative property pursuant to clause (2) of this item,
1997 continues to remain affordable housing as set forth in the contract or agreement entered into for
1998 the duration of the project by the department.

1999 SECTION 64. Said section 5 of said chapter 244 is hereby further amended by striking
2000 out clause (5) to (7), inclusive, and inserting in place thereof the following clause:-
2001 and (5) said department shall take due consideration of a balanced geographic plan for such
2002 alternative forms of housing when issuing such loans.

2003 SECTION 65. Item 4000-8200 of section 2E of chapter 290 of the acts of 2004 is hereby
2004 amended by striking out clause (2) and inserting in place thereof the following clause:-

2005 (2) said loans shall be issued only when any contract or agreement for the use of said
2006 property for the purposes of such housing provides for repayment to the commonwealth at the
2007 time of disposition of the property if such property will no longer be subject to a recorded deed
2008 restriction pursuant to clause (3) of this item; provided, however, that such repayment shall be an
2009 amount equal to the commonwealth's proportional contribution from the Facilities Consolidation
2010 Fund to the cost of the development through payments made by the state agency making the
2011 contract; provided, further, that such repayment shall not be required if the department of

2012 housing and community development, in consultation with the department of mental health and
2013 the department of developmental services, determines that relevant clients will be better served at
2014 an alternative property and the proceeds from the disposition of the property will be used, to the
2015 extent necessary for replacement of the housing at the property, for one or more of the following
2016 purposes: (A) to acquire such alternative property and (B) to rehabilitate such alternative
2017 property;

2018 SECTION 66. Said item 4000-8200 of said section 2E of said chapter 290 is hereby
2019 further amended by striking out, in clause (3), the words “provided, that the property shall not be
2020 released from such restrictions until the balance of the principal and interest for the loan is repaid
2021 in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the
2022 following words:- provided, that the property shall not be released from such restrictions unless:
2023 (i) the balance of the principal and interest for the loan is repaid in full; (ii) a mortgage
2024 foreclosure deed is recorded; or (iii) the department of housing and community development has
2025 determined, pursuant to clause (2) of this item, that repayment to the commonwealth is not
2026 required.

2027 SECTION 67. Said item 4000-8200 of said section 2E of said chapter 290 is hereby
2028 further amended by striking out, in clause (4), the words “provided, however, that the project
2029 shall continue to remain affordable housing for the duration of the loan term, as extended, as set
2030 forth in the contract or agreement entered into by the department” and inserting in place thereof
2031 the following words:- provided, however, that the project, whether at the original property, or at
2032 an alternative property pursuant to clause (3) of this item, shall continue to remain affordable
2033 housing for the duration of the loan term, as extended, as set forth in the contract or agreement
2034 entered into by the department.

2035 SECTION 68. Said item 4000-8200 of said section 2E of said chapter 290 is hereby
2036 amended by striking out clause (6) and clause (7).

2037 SECTION 69. Said item 4000-8200 of said section 2E of said chapter 290 is hereby
2038 further amended by striking out the figure “(8)” and inserting in place thereof the following
2039 figure:- (6).

2040 SECTION 70. Said item 4000-8200 of said section 2E of said chapter 290 is hereby
2041 further amended by striking out the figure “(9)” and inserting in place thereof the following
2042 figure:- (7).

2043 SECTION 71. Said item 4000-8200 of said section 2E of said chapter 290 is hereby
2044 further amended by striking out the figure “(10)” and inserting in place thereof the following
2045 figure:- (8).

2046 SECTION 72. Item 4000-8201 of said section 2E of said chapter 290 is hereby amended
2047 by striking out clause (2) and inserting in place thereof the following:-

2048 (2) said loans shall be issued only when any contract or agreement for the use of said
2049 property for the purposes of such housing provides for repayment to the commonwealth at the
2050 time of disposition of the property if such property will no longer be subject to a recorded deed
2051 restriction pursuant to clause (3) of this item; provided, however, that such repayment shall be an
2052 amount equal to the commonwealth's proportional contribution from this item to the cost of the
2053 development through payments made by the state agency making the contract; provided, further,
2054 that such repayment shall not be required if the department of housing and community
2055 development, in consultation with the Massachusetts rehabilitation commission, determines that
2056 relevant clients will be better served at an alternative property and the proceeds from the

2057 disposition of the property will be used, to the extent necessary for replacement of the housing at
2058 the property, for one or more of the following purposes: (A) to acquire such alternative property
2059 and (B) to rehabilitate such alternative property

2060 SECTION 73. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2061 further amended by striking out in clause (3) the words “provided further, that the property shall
2062 not be released from such restrictions until the balance of the principal and interest for the loan is
2063 repaid in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the
2064 following:- provided further, that the property shall not be released from such restrictions
2065 unless: (A) the balance of the principal and interest for the loan is repaid in full; (B) a mortgage
2066 foreclosure deed is recorded; or (C) the department of housing and community development has
2067 determined, pursuant to clause (2) of this item, that repayment to the commonwealth is not
2068 required

2069 SECTION 74. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2070 further amended by striking out, in clause (4), the words “provided, however, that the project
2071 shall continue to remain affordable housing for the duration of the loan term, as extended, as set
2072 forth in the contract or agreement entered into by the department” and inserting in place thereof
2073 the following:- provided, however, that the project, whether at the original property, or at an
2074 alternative property pursuant to clause (2) of this item, shall continue to remain affordable
2075 housing for the duration of the loan term, as extended, as set forth in the contract or agreement
2076 entered into by the department

2077 SECTION 75. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2078 further amended by striking out clause (6) and (7).

2079 SECTION 76. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2080 further amended by striking out the figure “(8)” and inserting in place thereof the following
2081 figure:- (6)

2082 SECTION 77. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2083 further amended by striking out the figure “(9)” and inserting in place thereof the following
2084 figure:- (7)

2085 SECTION 78. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2086 further amended by striking out the figure “(10)” and inserting in place thereof the following
2087 figure:- (8)

2088 SECTION 79. Item 7004-7013 of section 2E of chapter 290 of the acts of 2004 is hereby
2089 amended by inserting after figure “2002” the following words:- , as amended.

2090 SECTION 80. Item 7004-0029 of section 2 of chapter 119 of the acts of 2008 is hereby
2091 amended by striking out clause (2) and inserting in place thereof the following:-

2092 (2) be issued only when a contract or agreement for the use of the property for such
2093 housing provides for repayment to the commonwealth at the time of disposition of the property if
2094 such property will no longer be subject to a recorded deed restriction pursuant to clause (3) of
2095 this item; provided, however, that such repayment shall be in an amount equal to the
2096 commonwealth's proportional contribution from the Facilities Consolidation Fund to the cost of
2097 the development through payments made by the state agency making the contract; provided,
2098 further, that such repayment shall not be required if the department of housing and community
2099 development, in consultation with the department of mental health and the department of
2100 developmental services, determines that relevant clients will be better served at an alternative

2101 property and the proceeds from the disposition of the property will be used, to the extent
2102 necessary for replacement of the housing at the property, for one or more of the following
2103 purposes: (A) to acquire such alternative property and (B) to rehabilitate such alternative
2104 property

2105 SECTION 81. Said item 7004-0029 of said section 2 of said chapter 119 is hereby further
2106 amended by striking out, in clause (3), the words “provided, that the property shall not be
2107 released from such restriction until the balance of the principal and interest for the loan has been
2108 repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place
2109 thereof the following words:- provided, that the property shall not be released from such
2110 restriction unless: (i) the balance of the principal and interest for the loan has been repaid in
2111 full; (ii) a mortgage foreclosure deed has been recorded; or (iii) the department of housing and
2112 community development has determined, pursuant to clause (2) of this item, that repayment to
2113 the commonwealth is not required.

2114 SECTION 82. Said item 7004-0029 of said section 2 of said chapter 119 is hereby further
2115 amended by striking out, in clause (4), the words “provided, however, that the project shall
2116 remain affordable housing for the duration of the loan term, including any extension thereof, as
2117 set forth in the contract or agreement entered into by the department” and inserting in place
2118 thereof the following words:- provided, however, that the project, whether at the original
2119 property, or at an alternative property pursuant to clause (3) of this item, shall remain affordable
2120 housing for the duration of the loan term, including any extension thereof, as set forth in the
2121 contract or agreement entered into by the department.

2122 SECTION 83. Said item 7004-0029 of said section 2 of said chapter 119 is hereby further
2123 amended by striking out, in clause (5), the words "; provided further, that expenditures from this
2124 item shall not be made for the purpose of refinancing outstanding mortgage loans for
2125 community-based housing in existence prior to the effective date of this act; provided further,
2126 that community-based housing projects developed pursuant to this item shall not be refinanced
2127 during the term of any loan issued pursuant to this item unless the balance of the principal and
2128 interest for such loan has been repaid in full at the time of such refinancing; provided further,
2129 that the community-based housing projects may be refinanced if the refinancing would result in a
2130 reduction of costs paid by the commonwealth; provided further, that a refinanced loan shall be
2131 due and payable on a date not later than the date on which the original loan was due and payable,
2132 except in accordance with clause (4) when necessary to effect extraordinary repairs or
2133 maintenance which shall be approved by the commissioner of mental retardation or the
2134 commissioner of mental health, as the case may be, and the department;"

2135 SECTION 84. Said item 7004-0030 of said section 2 of said chapter 119 is hereby further
2136 amended by striking out clause (2) and inserting in place thereof the following clause:-

2137 (2) be issued only when a contract or agreement for the use of the property for the
2138 purposes of such housing provides for repayment to the commonwealth at the time of disposition
2139 of the property if such property will no longer be subject to a recorded deed restriction pursuant
2140 to clause (3) of this item; provided, however, that such repayment shall be in an amount equal to
2141 the commonwealth's proportional contribution from community based housing to the cost of the
2142 development through payments made by the state agency making the contract; provided, further,
2143 that such repayment shall not be required if the department of housing and community
2144 development, in consultation with the Massachusetts rehabilitation commission, determines that

2145 relevant clients will be better served at an alternative property and the proceeds from the
2146 disposition of the property will be used, to the extent necessary for replacement of the housing at
2147 the property, for one or more of the following purposes: (A) to acquire such alternative property
2148 and (B) to rehabilitate such alternative property;

2149 SECTION 85. Said item 7004-0030 of said section 2 of said chapter 119 is hereby further
2150 amended by striking out, in clause (3), the words “provided further, that the property shall not be
2151 released from such restrictions until the balance of the principal and interest for the loan has been
2152 repaid in full or until a mortgage foreclosure deed has been recorded;” and inserting in place
2153 thereof the following words:- provided further, that the property shall not be released from such
2154 restrictions unless: (A) the balance of the principal and interest for the loan has been repaid in
2155 full; (B) a mortgage foreclosure deed has been recorded; or (C) the department of housing and
2156 community development has determined, pursuant to clause (2) of this item, that repayment to
2157 the commonwealth is not required

2158 SECTION 86. Said item 7004-0030 of said section 2 of said chapter 119 is hereby further
2159 amended by striking out, in clause (4), the words “provided, however, that the project shall
2160 continue to remain affordable housing for the duration of the loan term, including any extensions
2161 thereof, as set forth in the contract or agreement entered into by the department;” and inserting
2162 place thereof the following words:- provided, however, that the project, whether at the original
2163 property, or at an alternative property pursuant to clause (2) of this item, shall continue to remain
2164 affordable housing for the duration of the loan term, including any extensions thereof, as set
2165 forth in the contract or agreement entered into by the department;

2166 SECTION 87. Said item 7004-0030 of said section 2 of said chapter 119 is hereby further
2167 amended by striking out clause (5) and inserting in place thereof the following clause:-

2168 (5) have interest rates fixed at a rate, to be determined by the department, in consultation
2169 with the state treasurer; provided further, that the loans shall be issued in accordance with an
2170 enhancing community-based services plan prepared by the secretary of health and human
2171 services, in consultation with the department and filed with the secretary for administration and
2172 finance and the house and senate committees on ways and means and the joint committee on
2173 housing; provided further, that no expenditure shall be made from this item without the prior
2174 approval of the secretary for administration and finance; provided further, that the department
2175 shall promulgate regulations pursuant to chapter 30A of the General Laws for the
2176 implementation, administration and enforcement of this item, consistent with the enhancing
2177 community-based services plan prepared by the secretary of health and human services after
2178 consultation with the secretary and the commissioner of capital asset management and
2179 maintenance

2180 SECTION 88. Sections 30, 36 and 98 of chapter 238 of the acts of 2012 are hereby
2181 repealed.

2182 SECTION 89. Item 7004-0040 of section 2 of chapter 129 of the acts of 2013 is hereby
2183 amended by striking out clause (ii) and inserting in place thereof the following clause:-

2184 (ii) be issued only when a contract or agreement for the use of the property for such
2185 housing provides for repayment to the commonwealth at the time of disposition of the property if
2186 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii) of
2187 this item; provided, however, that such repayment shall be in an amount equal to the

2188 commonwealth's proportional contribution from the Facilities Consolidation Fund to the cost of
2189 the development through payments made by the state agency making the contract; provided,
2190 further, that such repayment shall not be required if the department of housing and community
2191 development in consultation with the department of mental health and the department of
2192 developmental services, determines that relevant clients will be better served at an alternative
2193 property and the proceeds from the disposition of the property will be used, to the extent
2194 necessary for replacement of the housing at the property, for one or more of the following
2195 purposes: (A) to acquire such alternative property and (B) to rehabilitate such alternative
2196 property;

2197 SECTION 90. Said item 7004-0040 of said section 2 of said chapter 129 is hereby
2198 further amended by striking out, in clause (iii) the words “provided, however, that the property
2199 shall not be released from such restriction until the balance of the principal and interest for the
2200 loan has been repaid in full or until a mortgage foreclosure deed has been recorded” and inserting
2201 in place thereof the following words:- provided, however, that the property shall not be released
2202 from such restriction unless: (A) the balance of the principal and interest for the loan has been
2203 repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the department of
2204 housing and community development has determined, pursuant to clause (ii) of this item, that
2205 repayment to the commonwealth is not required.

2206 SECTION 91. Said item 7004-0040 of said section 2 of said chapter 129 is hereby further
2207 amended by striking out in clause (iv) the words “provided further, that the project shall remain
2208 affordable housing for the duration of the loan term, including any extension thereof, as set forth
2209 in the contract or agreement entered into by the department” and inserting in place thereof the
2210 following words:- provided further, that the project, whether at the original property, or at an

2211 alternative property pursuant to clause (iii) of this item, shall remain affordable housing for the
2212 duration of the loan term, including any extension thereof, as set forth in the contract or
2213 agreement entered into by the department.

2214 SECTION 92. Said item 7004-0041 of said section 2 of said chapter 129 is hereby further
2215 amended by striking out clause (ii) and inserting in place thereof the following clause:-

2216 (ii) be issued only when a contract or agreement for the use of the property for the
2217 purposes of such housing provides for repayment to the commonwealth at the time of disposition
2218 of the property if such property will no longer be subject to a recorded deed restriction pursuant
2219 to clause (iii) of this item; provided, however, that such repayment shall be in an amount equal
2220 to the commonwealth's proportional contribution from community based housing to the cost of
2221 the development through payments made by the state agency making the contract; provided,
2222 further, that such repayment shall not be required if the department of housing and community
2223 development, in consultation with the Massachusetts rehabilitation commission, determines that
2224 relevant clients will be better served at an alternative property and the proceeds from the
2225 disposition of the property will be used, to the extent necessary for replacement of the housing at
2226 the property, for one or more of the following purposes: (A) to acquire such alternative property
2227 and (B) to rehabilitate such alternative property;

2228 SECTION 93. Said item 7004-0041 of said section 2 of said chapter 129 is hereby further
2229 amended by striking out, in clause (iii), the words "provided, however, that the property shall not
2230 be released from such restrictions until the balance of the principal and interest for the loan has
2231 been repaid in full or until a mortgage foreclosure deed has been recorded;" and inserting in
2232 place thereof the following words:- provided however, that the property shall not be released

2233 from such restrictions unless: (A) the balance of the principal and interest for the loan has been
2234 repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the department of
2235 housing and community development has determined, pursuant to clause (ii) of this item, that
2236 repayment to the commonwealth is not required

2237 SECTION 94. Said item 7004-0041 of said section 2 of said chapter 129 is hereby further
2238 amended by striking out, in clause (iv), the words “provided, however, that the project shall
2239 continue to remain affordable housing for the duration of the loan term, including any extensions
2240 thereof, as set forth in the contract or agreement entered into by the department;” and inserting
2241 place thereof the following words:- provided, however, that the project, whether at the original
2242 property, or at an alternative property pursuant to clause (ii) of this item, shall continue to remain
2243 affordable housing for the duration of the loan term, including any extensions thereof, as set
2244 forth in the contract or agreement entered into by the department;

2245 SECTION 95. Item 7004-0050 of section 2 of chapter 99 of the acts of 2018 is hereby
2246 amended by striking out clause (ii) and inserting in place thereof the following clause:-

2247 (ii) not be issued unless a contract or agreement for the use of the property for such
2248 housing provides for repayment to the commonwealth at the time of disposition of the property if
2249 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii) of
2250 this item; provided, however, that such repayment shall be in an amount equal to the
2251 commonwealth's proportional contribution from the Facilities Consolidation Fund to the cost of
2252 the development through payments made by the state agency making the contract; provided,
2253 further, that such repayment shall not be required if the department of housing and community
2254 development, in consultation with the department of mental health and the department of

2255 developmental services, determines that relevant clients will be better served at an alternative
2256 property and the proceeds from the disposition of the property will be used, to the extent
2257 necessary for replacement of the housing at the property, for one or more of the following
2258 purposes: (A) to acquire such alternative property and (B) to rehabilitate such alternative
2259 property;

2260 SECTION 96. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further
2261 amended by striking out, in clause (iii), the words “provided, however, that the property shall not
2262 be released from such restriction until the balance of the principal and interest for the loan has
2263 been repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place
2264 thereof the following words:- provided, however, that the property shall not be released from
2265 such restriction unless: (A) the balance of the principal and interest for the loan has been repaid
2266 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the department of housing and
2267 community development has determined, pursuant to clause (ii) of this item, that repayment to
2268 the commonwealth is not required.

2269 SECTION 97. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further
2270 amended by striking out, in clause (iv), the words “provided further, that the project shall remain
2271 affordable housing for the duration of the loan term, including any extension thereof, as set forth
2272 in the contract or agreement entered into by the department” and inserting in place thereof the
2273 following words:- provided further, that the project, whether at the original property, or at an
2274 alternative property pursuant to clause (iii) of this item, shall remain affordable housing for the
2275 duration of the loan term, including any extension thereof, as set forth in the contract or
2276 agreement entered into by the department.

2277 SECTION 98. Said item 7004-0051 of said section 2 of said chapter 99 is hereby
2278 amended by striking out clause (ii) and inserting in place thereof the following clause:-

2279 (ii) not be issued unless a contract or agreement for the use of the property for the
2280 purposes of such housing provides for repayment to the commonwealth at the time of disposition
2281 of the property if such property will no longer be subject to a recorded deed restriction pursuant
2282 to clause (iii) of this item; provided, however, that such repayment shall be in an amount equal
2283 to the commonwealth's proportional contribution from community based housing to the cost of
2284 the development through payments made by the state agency making the contract; provided,
2285 further, that such repayment shall not be required if the department of housing and community
2286 development, in consultation with the Massachusetts rehabilitation commission, determines that
2287 relevant clients will be better served at an alternative property and the proceeds from the
2288 disposition of the property will be used, to the extent necessary for replacement of the housing at
2289 the property, for one or more of the following purposes: (A) to acquire such alternative property
2290 and (B) to rehabilitate such alternative property;

2291 SECTION 99. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further
2292 amended by striking out, in clause (iii), the words "provided, however, that the property shall not
2293 be released from such restrictions until the balance of the principal and interest for the loan has
2294 been repaid in full or until a mortgage foreclosure deed has been recorded;" and inserting in
2295 place thereof the following words:- provided however, that the property shall not be released
2296 from such restrictions unless: (A) the balance of the principal and interest for the loan has been
2297 repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the department of
2298 housing and community development has determined, pursuant to clause (ii) of this item, that
2299 repayment to the commonwealth is not required

2300 SECTION 100. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further
2301 amended by striking out, in clause (iv), the words “provided, however, that the project shall
2302 continue to remain affordable housing for the duration of the loan term, including any extensions
2303 thereof, as set forth in the contract or agreement entered into by the department;” and inserting
2304 place thereof the following words:- provided, however, that the project, whether at the original
2305 property, or at an alternative property pursuant to clause (ii) of this item, shall continue to remain
2306 affordable housing for the duration of the loan term, including any extensions thereof, as set
2307 forth in the contract or agreement entered into by the department;

2308 SECTION 101. Notwithstanding any general law or special law, or any rule or regulation
2309 to the contrary, the architectural access board, established pursuant to section 13A of chapter 22
2310 of the General Laws, shall determine the value of any multiple dwelling, as defined in 521 CMR
2311 5.00, that is owned, constructed or renovated by a housing authority, as defined in section 1 of
2312 chapter 121B of the General Laws, by a replacement cost that is determined by and reflected in
2313 the executive office of housing and livable communities’ Capital Planning System survey and
2314 database for state-funded public housing. For such buildings that are not included in such survey
2315 and database, the replacement costs shall be calculated by the executive office based on the
2316 replacement costs for comparable facilities that are included in such survey and database. The
2317 executive office shall supplement the survey and database on file with the architectural access
2318 board, for any such building, by preparing and filing documentation identifying the replacement
2319 cost for the building and how it was calculated.

2320 SECTION 102. Notwithstanding any general or special law to the contrary, there shall be
2321 established a special commission to make recommendations on expanding the supply of housing
2322 available and affordable to tenants with a household income of not more than 30 per cent of the

2323 area median income, adjusted for household size, as periodically determined by the United States
2324 Department of Housing and Urban Development. The commission shall review and evaluate
2325 federal, state and local subsidies that support the creation of housing for such tenants and make
2326 policy recommendations to increase the supply of housing that is available and affordable to
2327 households earning not more than 30 per cent of the area median income.

2328 (a) Without limitation, the commission shall consider the following: (i) the number of
2329 deeply subsidized rental units targeted at families with incomes at or below 30 per cent of the
2330 area median income and the percentage of those units that are accessible to persons with
2331 disabilities; (ii) the number of families with such incomes per deeply subsidized rental unit; (iii)
2332 the gap between median rents and the rent affordable to families with such incomes, and analysis
2333 of whether housing subsidies are sufficient to bridge such gap; (iv) the ratio of households with
2334 such incomes to unsubsidized units available at rents up to 50 per cent of such income; (v)
2335 housing market factors such as vacancy rates, rate of rent increases, conversion of rental housing
2336 to homeownership units; and (vi) the impact of non-housing subsidies such as earned income tax
2337 credit on cost burden for working families; and barriers to accessing available housing, including
2338 racial and ethnic disparities in housing access.

2339 (b) The commission shall consist of the secretary of housing and livable communities or
2340 their designee, who shall serve as chair; the house and senate chairs of the joint committee on
2341 housing or their designees; the minority leader of the house of representatives or a designee; the
2342 minority leader of the senate or a designee; the secretary of administration and finance or a
2343 designee; the secretary of health and human services or a designee; a representative of the
2344 Citizens' Housing and Planning Association; a representative of the Massachusetts Housing
2345 Partnership; a representative of the Massachusetts Housing Finance Agency; a representative of

2346 the Community Economic Development Assistance Corporation; a representative of the
2347 Massachusetts Law Reform Institute; a representative of the Massachusetts Association of
2348 Community Development Corporations; a representative of the Regional Housing Network; ;
2349 and 5 members appointed by the governor: 1 of whom shall be a representative of a local
2350 housing authority; 1 of whom shall be a representative of an advocacy organization representing
2351 tenants; 1 of whom shall have expertise in affordable housing finance; 1 of whom shall have
2352 expertise in nonprofit affordable housing development; and 1 of whom shall have expertise in
2353 development of permanent supportive housing.

2354 (c) Not later than June 30, 2025, the commission shall file its recommendations with the
2355 clerks of the senate and house of representatives and the joint committee on housing not later
2356 than June 30, 2025.

2357 SECTION 103. (a) Notwithstanding any general or special law to the contrary, there shall
2358 be a special commission to study and make recommendations on creating affordable and healthy
2359 senior housing in the commonwealth. The commission's review shall include, at a minimum,
2360 recommending strategies to better align housing, homecare and healthcare policy and programs
2361 to increase access and opportunity for residents of the commonwealth to age in community.

2362 (b) The commission shall consist of the secretary of housing and livable communities or a
2363 designee, who shall serve as chair; the secretary of the executive office of elder affairs or a
2364 designee; the chairpersons of the joint committee on elder affairs or their designees; the
2365 chairpersons of the joint committee on housing or their designees; 1 member who shall be
2366 appointed by the minority leader of the house of representatives; 1 member who shall be
2367 appointed by the minority leader of the senate; 1 member shall be a representative of Citizens'

2368 Housing and Planning Association, Inc.; 4 members shall be representatives of statewide
2369 organizations focusing on aging concerns; and 2 members shall be representatives of nonprofit
2370 housing developers with experience developing affordable senior rental housing.

2371 (c) The study shall include, but not be limited to:

2372 i. Mapping out the economic profile of our older adults and determine the gaps in
2373 services.

2374 ii. Identifying best practices for creating supportive senior housing with sustainable
2375 funding.

2376 iii. Determining strategies for bridging silos for supporting elders in community,
2377 including identifying federal waivers or other actions to support integration.

2378 iv. Identifying partners to create opportunities for supportive housing development
2379 with health care built in.

2380 v. Estimating the costs and potential impact of programs and recommend
2381 comprehensive strategies.

2382 vi. Recommendations for creating academic partnerships to document and evaluate
2383 program innovations.

2384 vii. An analysis of the projected demand for senior housing over the next 5 years.

2385 viii. Recommendations to ensure senior housing is physically accessible and ADA
2386 compliant.

2387 ix. A review of barriers to necessary housing modifications and potential funding
2388 sources.

2389 x. Recommendations to encourage development of senior housing in walkable areas
2390 near community amenities and public transportation.

2391 xi. An evaluation of age-restricted housing and intergenerational housing with
2392 respect to costs, tenant preferences, accessibility, and safety.

2393 xii. Design and infrastructure recommendations, such as increased ventilation and
2394 functional outdoor space, with the intention of preventing the spread of contagious diseases.

2395 (d) Not later than June 30, 2025, the commission shall file a report with the clerks of the
2396 senate and house of representatives, the senate and house chairs of the joint committee on elder
2397 affairs and the senate and house chairs of the joint committee on housing.

2398 SECTION 104. (a) As used in this section, the following words shall, unless the context
2399 clearly requires otherwise, have the following meanings:-

2400 “Affordable housing purposes”, development of multi-family housing, of which either: (i)
2401 not less than 25 per cent shall be affordable to households with incomes at or below 80 per cent
2402 of the area median income, adjusted for household size; or (ii) not less than 20 per cent shall be
2403 affordable to households with incomes at or below 50 per cent of the area median income,
2404 adjusted for household size; provided, that affordable housing purposes may include subsequent
2405 conveyance by a public agency, as defined in section 1 of chapter 7C of the General Laws, other
2406 than a state agency, with a restriction for affordable housing purposes.

2407 “Commissioner”, the commissioner of capital asset management and maintenance.

2408 “Housing purposes”, development of housing for use as the primary residence of the
2409 occupant, including, but not limited to: market rate housing, affordable housing and public
2410 housing; provided, that housing purposes may include subsequent conveyance by a public
2411 agency, as defined in section 1 of chapter 7C of the General Laws, other than a state agency,
2412 with a restriction for housing purposes; and provided, further that housing purposes shall include
2413 affordable housing purposes.

2414 “Public agency”, as defined in section 1 of chapter 7C of the General Laws; provided,
2415 however, that for the purposes of this section, public agency shall not include cities, towns or
2416 counties, or any boards, committees, commissions or other instrumentalities thereof.

2417 “Real property”, as defined in said section 1 of said chapter 7C.

2418 “Secretary”, the secretary of administration and finance.

2419 “State agency”, as defined in said section 1 of said chapter 7C; provided, however, that
2420 for the purposes of this section, state agency shall not include counties.

2421 “Surplus real property”, (i) real property of the commonwealth that has been determined:
2422 (1) by the commissioner to be surplus to the current and foreseeable needs of the commonwealth
2423 pursuant to paragraph (2) of subsection (b) or (2) to be surplus to current and foreseeable needs
2424 of any state agency pursuant to section 33 or 34 of said chapter 7C or (ii) real property of a
2425 public agency determined to be surplus to current and foreseeable needs of said public agency, as
2426 determined by said public agency; provided, however, that surplus real property shall not include
2427 property subject to Article XCVII of the amendments to the constitution of the commonwealth.

2428 (b)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
2429 or any other general or special law to the contrary, the commissioner may sell, lease for a term
2430 not to exceed 99 years, transfer or otherwise dispose of surplus real property of the
2431 commonwealth or a public agency for housing purposes, in accordance with this section.

2432 (2) The commissioner may, in consultation with the secretary and the secretary of
2433 housing and livable communities, determine that real property of the commonwealth is surplus
2434 and shall be disposed of for housing purposes; provided that, prior to determining that said real
2435 property is surplus to the current and foreseeable needs of the commonwealth, the commissioner
2436 shall provide a suitable written notice and inquiry to the state agency with care and control of
2437 said real property, with a date certain for any response. If no written response is timely received
2438 from said state agency specifying a current or foreseeable need for such real property, the
2439 commissioner shall declare such real property as surplus real property and dispose of such real
2440 property for housing purposes pursuant to this section. If a written response is timely received
2441 from such state agency specifying a current or foreseeable need for the real property, the
2442 commissioner shall, in consultation with the secretary, the secretary of housing and livable
2443 communities and such state agency, determine whether the real property shall be declared
2444 surplus real property and disposed of for housing purposes pursuant to this section.

2445 The chancellor or president of any public institution of higher education as defined in
2446 said section 5 of said chapter 15A may, with the approval of the commissioner of higher
2447 education, determine that property of such public institution of higher education is surplus to the
2448 current and foreseeable needs of such institution and the commissioner may dispose of such
2449 property for housing purposes without approval by such institution's board of trustees.

2450 (3) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
2451 any other general or special law to the contrary, if real property of the commonwealth is
2452 determined to be surplus to current needs of any state agency but not to foreseeable needs of any
2453 state agency, the commissioner shall take such necessary action to ensure that any disposition of
2454 the real property is temporary and maintains the commissioner's ability to make such real
2455 property available to a state agency, as needed.

2456 (4) The commissioner may, in consultation with the secretary and the secretary of
2457 housing and livable communities, enter into agreements with a public agency to dispose of
2458 surplus real property of the public agency for housing purposes, in accordance with this section;
2459 provided, that the commissioner shall not be required to determine if the real property of the
2460 public agency is surplus to the current and foreseeable needs of the commonwealth and shall not
2461 be required to provide written notice and inquiry to any state agency or public agency.

2462 (5) Within 30 days of a receipt of a request by the governor identifying a parcel of land,
2463 and any buildings or improvements thereon, as potentially surplus real property, a public agency,
2464 including without limitation the Massachusetts Department of Transportation, the Massachusetts
2465 Bay Transportation Authority and the University of Massachusetts Building Authority, shall
2466 determine whether such real property is surplus to its current and foreseeable needs. If the public
2467 agency determines that the real property is not surplus to its current and foreseeable needs, such
2468 public agency shall respond in writing within the 30 day period, specifying the reason for its
2469 determination.

2470 (6) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
2471 any other general or special law to the contrary, the commissioner may amend a use restriction

2472 held by the commonwealth for general municipal purposes or any other purpose, except those
2473 purposes subject to Article XCVII of the amendments to the constitution of the commonwealth,
2474 to include housing purposes.

2475 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
2476 any other general or special law to the contrary, if the commissioner, in consultation with the
2477 secretary and the secretary of housing and livable communities, determines that real property is
2478 surplus real property pursuant to paragraph (2) of subsection (b) or the commissioner enters into
2479 an agreement with a public agency pursuant to paragraph (4) of said subsection (b), the
2480 commissioner shall: (i) provide written notice, for each city or town in which the property is
2481 located, to the city manager in the case of a city under Plan E form of government, the mayor
2482 and city council in the case of all other cities, the chair of the board of selectmen in the case of a
2483 town, the county commissioners, the chair of the zoning board of appeals, the chair of the
2484 planning board, the regional planning agency and the members of the general court representing
2485 the city or town in which the property is located; provided that such notice shall include a
2486 statement that the proposed reuse of the property is for housing purposes, with a date certain for
2487 any response that shall be not less than 30 days from the date of such notice; (ii) following the
2488 date certain set forth in such notice, declare said real property available for disposition and
2489 identify all reuse restrictions, including, but not limited to, a restriction for housing purposes; and
2490 (iii) ensure that any deed, lease or other disposition agreement shall set forth all reuse
2491 restrictions, including but not limited to, a restriction for housing purposes, provide for effective
2492 remedies on behalf of the commonwealth and provide, in the event of a failure to comply with
2493 the reuse restrictions by the grantee, lessee or other recipient, that title or such lesser interest as
2494 may have been conveyed, may revert to the commonwealth. The commissioner shall, in

2495 identifying reuse restrictions for such property, consider in good faith any comments presented
2496 by local officials and members of the general court representing each city or town in which the
2497 property is located. The commissioner may, in consultation with the secretary of housing and
2498 livable communities, include a reversionary clause in any deed that stipulates that if the parcel
2499 ceases at any time to be used for housing purposes, title to the parcel shall, at the election of the
2500 commonwealth, revert to the commonwealth, which clause may be enforceable notwithstanding
2501 the time limit set forth in section 7 of chapter 184A of the General Laws.

2502 (d)(1) The commissioner shall establish the value of surplus real property using
2503 customarily accepted appraisal methodologies. The value shall be calculated both for: (i) the
2504 highest and best use of the property as may be encumbered, and (ii) subject to uses, restrictions
2505 and encumbrances defined by the commissioner. In no instance in which the commonwealth
2506 retains responsibility for maintaining the said property shall the terms provide for payment of
2507 less than the annual maintenance costs.

2508 (2) Notwithstanding paragraph (1), the commissioner may, in consultation with the
2509 secretary and the secretary of housing and livable communities, dispose of surplus real property
2510 for nominal consideration; provided, that the surplus real property shall be conveyed with a
2511 restriction for affordable housing purposes. The deed or other instrument conveying the surplus
2512 real property shall provide that said property shall be used solely for affordable housing purposes
2513 and may include a reversionary clause that stipulates that if the parcel ceases at any time to be
2514 used for affordable housing purposes, title to the parcel shall, at the election of the
2515 commonwealth, revert to the commonwealth. The reversionary clause may be enforceable
2516 notwithstanding the time limit set forth in section 7 of chapter 184A of the General Laws.

2517 (3) Notwithstanding paragraph (1), the commissioner may, in consultation with the
2518 secretary and the secretary of housing and livable communities, amend a use restriction held by
2519 the commonwealth to include housing purposes in accordance with paragraph (6) of subsection
2520 (b) for nominal consideration.

2521 (4) Notwithstanding paragraph (1), sections 32 to 37, inclusive, of chapter 7C of the
2522 General Laws, or any other general or special law to the contrary, the commissioner may, in
2523 consultation with the secretary and the secretary of housing and livable communities, make real
2524 property of the commonwealth that has been determined to be surplus to current needs of any
2525 state agency but not to foreseeable needs of any state agency pursuant to paragraph (3) of
2526 subsection (b) available for a period of time not to extend beyond the foreseeable need of any
2527 state agency for housing and related purposes to municipalities, public agencies, as defined in
2528 section 1 of said chapter 7C, and non-profit organizations for nominal consideration.

2529 (5) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
2530 any other general or special law to the contrary, the commissioner may, in consultation with the
2531 secretary, the secretary of housing and livable communities and the state agency with care and
2532 control of the real property, transfer care and control of real property between state agencies for
2533 housing and related purposes.

2534 (e) The commissioner shall, in consultation with the secretary of housing and livable
2535 communities, dispose of surplus real property: (1) utilizing appropriate competitive processes
2536 and procedures; or (2) through a sales-partnership agreement with the municipality wherein said
2537 real property is located; provided, that said agreement shall require the municipality to utilize
2538 appropriate competitive processes and procedures; provided, further, that said agreement may

2539 require the municipality to conduct said competitive process and select a developer prior to
2540 disposition of the real property; provided, further, that the commissioner may transfer the real
2541 property directly to the selected developer pursuant to said agreement; and provided, further, that
2542 the agreement may provide for payment to the municipality in an amount not to exceed 50 per
2543 cent of the net sales price paid to the commonwealth, as determined by the commissioner. Such
2544 competitive processes may include, but shall not be limited to, absolute auction, sealed bids and
2545 requests for price and development proposals. The commissioner may accept any consideration
2546 for surplus real property disposed of pursuant to this section deemed appropriate by the
2547 commissioner and the secretary of housing and livable communities. The commissioner shall
2548 prioritize disposition of surplus real property for affordable housing purposes.

2549 At least 30 days before the date of an auction or the date on which bids or proposals or
2550 other offers to purchase or lease surplus real property are due, the commissioner shall place a
2551 notice in the central register published by the state secretary pursuant to section 20A of chapter 9
2552 of the General Laws stating the availability of such property, the nature of the competitive
2553 process and other information deemed relevant, including the time and location of the auction,
2554 the submission of bids or proposals and the opening thereof. The commissioner shall not be
2555 required to place said notice if the property is conveyed: (1) to a municipality or developer
2556 selected by a municipality in accordance with the first paragraph; or (2) for nominal
2557 consideration in accordance with subsection (d).

2558 (f) The commissioner shall place a notice in the central register identifying the
2559 municipality, public agency, as defined in section 1 of chapter 7C of the General Laws,
2560 individual or firm selected as party to such real property transaction, along with the amount of
2561 such transaction. If the commissioner accepts an amount below the value calculated pursuant to

2562 subsection (d), the commissioner shall include the justification therefore, specifying the
2563 difference between the calculated value and the price received.

2564 (g) No agreement for the sale, lease, transfer or other disposition of surplus real property
2565 and no deed, executed by or on behalf of the commonwealth, shall be valid unless such
2566 agreement or deed contains the following certification, signed by the commissioner:

2567 “The undersigned certifies under penalties of perjury that I have fully complied with
2568 section XX of chapter ___ of the acts of 2024 in connection with the property described herein.”

2569 (h) No agreement for the sale, lease, transfer or other disposition of surplus real property
2570 shall be valid unless the purchaser or lessee has executed and filed with the commissioner the
2571 statement required by section 38 of chapter 7C of the General Laws.

2572 (i) The grantee or lessee of any surplus real property shall be responsible for all costs
2573 relating to the conveyance including, but not limited to, appraisals, surveys, plans, recordings
2574 and any other expenses, as shall be deemed necessary by the commissioner.

2575 (j) The authority granted pursuant to this section shall expire on June 30, 2030; provided,
2576 however, that the commissioner may complete any transaction for which agreements have been
2577 signed and delivered on or before June 30, 2030.

2578 (k) The commissioner shall deposit the proceeds realized from any disposition of real
2579 property pursuant to this section into the surplus real property disposition fund established
2580 pursuant to section 106.

2581 (l) The commissioner may, in consultation with the secretary of housing and livable
2582 communities, promulgate regulations to implement this section.

2583 SECTION 105. Notwithstanding chapter 40A of the General Laws, or any other general
2584 or special law, or any local zoning ordinance or by-law or any municipal ordinance or by-law to
2585 the contrary, a city or town shall permit the residential use of real property conveyed by the
2586 commissioner pursuant to this section for housing purposes as of right, as defined in section 1A
2587 of chapter 40A of the General Laws, notwithstanding any use limitations otherwise applicable in
2588 the zoning district in which the real property is located including, but not limited to, commercial,
2589 mixed-use development or industrial uses; provided, however, that such city or town may impose
2590 reasonable regulations concerning the bulk and height of structures and determining yard sizes,
2591 lot area, setbacks, open space and building coverage requirements; provided, further, that the city
2592 or town may require site plan review; and provided, further, that the city or town shall permit no
2593 fewer than 4 units of housing per acre. Real property conveyed by the commissioner pursuant to
2594 this section shall include, without limitation, the amendment of use restrictions held by the
2595 commonwealth to allow for the use of such property for housing purposes. The secretary of
2596 housing and livable communities may promulgate regulations to implement this section.

2597 SECTION 106. Notwithstanding any general or special law to the contrary, there shall be
2598 a surplus real property disposition fund to retain the proceeds realized from property dispositions
2599 pursuant to section 104 to be administered by the secretary of administration and finance.

2600 (a) The fund shall be credited with: (i) the proceeds realized from the disposition of real
2601 property and the amendment of use restrictions pursuant to section 104; (ii) any appropriation,
2602 grant, gift or other contribution made to the fund; and (iii) any interest earned on money in the
2603 fund. Amounts credited to the fund shall not be subject to further appropriation and money
2604 remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be
2605 available for expenditure in the subsequent fiscal year.

2606 (b) Amounts credited to the fund may be: (i) transferred by the secretary to the state
2607 agency which had care and control of the land conveyed pursuant to section 104 if the real
2608 property was conveyed for fair market value consideration in amount equal to the net proceeds of
2609 the disposition; (ii) transferred by the secretary to the state agency which had care and control of
2610 the real property conveyed pursuant to section 104 if the real property was conveyed for
2611 consideration less than fair market value in amount equal to \$10,000 per unit of housing
2612 permitted by the city or town in which the real property is located or the net proceeds of the
2613 disposition, whichever is greater; (iii) transferred by the secretary to a municipality in accordance
2614 with a sales partnership agreement pursuant to said section 104; or (iv) expended for costs
2615 associated with the disposition of real property pursuant to said section 104, including, but not
2616 limited to, demolition, site preparation and environmental remediation; provided, that, all money
2617 transferred to a state agency pursuant to clauses (i) and (ii) shall be expended by said agency for
2618 capital facility projects, as defined in section 1 of chapter 7C of the General Laws; and provided,
2619 however, that all net proceeds from the disposition of surplus real property of a public agency
2620 other than a state agency, as determined by the commissioner of capital asset management and
2621 maintenance, shall be transferred to such public agency.

2622 SECTION 107. Notwithstanding any general or special law to the contrary, not later than
2623 120 days after the expiration of affordability restrictions on housing units assisted under items
2624 7004-0070 and 7004-0071 of said section 2, the executive office of housing and livable
2625 communities or its assignee, who shall be a qualified developer selected pursuant to the terms of
2626 said items 7004-0700 and 7004-0071 under the guidelines of the executive office, shall have an
2627 option to purchase any such housing units at their current appraised value, reduced by any
2628 remaining obligation of the owner, upon the expiration of the affordability restrictions. The

2629 executive office or its assignee shall only purchase or acquire such housing units to preserve or
2630 provide affordable housing. The executive office or its assignee shall hold such purchase option
2631 for the first 120 days after the expiration of the affordability restrictions. Failure to exercise the
2632 purchase option within 120 days after the expiration of the affordability restriction shall
2633 constitute a waiver of the purchase option by the executive office or its assignee. Not later than
2634 30 days after the expiration of an affordability restriction, the owner and the executive office
2635 shall each designate a professional in the field of multi-unit residential housing. Each
2636 professional shall select an impartial appraiser. Not later than 60 days after the expiration of the
2637 affordability restriction, the 2 impartial appraisers shall determine the current appraised value in
2638 accordance with recognized professional standards. If there is a difference in the valuations, the
2639 valuations shall be added together and divided by 2 to determine the current appraised value of
2640 the units. No sale, transfer or other disposition of the property shall be completed until either the
2641 purchase option period expires or the owner has been notified, in writing, by the executive office
2642 or its assignee that the option will not be exercised. The option shall be exercised only by written
2643 notice signed by a designated representative of the executive office or its assignee, mailed to the
2644 owner by certified mail at the address specified in the notice of intention and recorded with the
2645 registry of deeds or the registry district of the land court of the county in which the affected real
2646 property is located, within the option period. If the purchase option has been assigned to a
2647 qualified developer selected pursuant to said items 7004-0070 and 7004-7071 of said section 2,
2648 the written notice shall state the name and address of the developer and the terms and conditions
2649 of the assignment.

2650 Before any sale or transfer or other disposition of housing that the executive office has
2651 not previously exercised an option to purchase, an owner shall offer the executive office or its

2652 assignee, who shall be a qualified developer selected pursuant to said items- 7004-0070 and
2653 7004-0071 of said section 2, a first refusal option to meet a bona fide offer to purchase the units.
2654 The owner shall provide to the executive office or its assignee written notice by regular and
2655 certified mail, return receipt requested, of the owner's intention to sell, transfer or otherwise
2656 dispose of the property. The executive office or its assignee shall hold the first refusal option for
2657 the first 120 days after receipt of the owner's written notice of intent to transfer the property.
2658 Failure to respond to the written notice of intent to sell, transfer or otherwise dispose of the
2659 property within the 120 day period shall constitute a waiver of the right of first refusal by the
2660 executive office. No sale, transfer or other disposition of the property shall be completed until
2661 either this first refusal option period has expired or the owner has been notified in writing by the
2662 executive office or its assignee that the option will not be exercised. The option shall be
2663 exercised only by written notice signed by a designated representative of the executive office or
2664 its assignee, mailed to the owner by certified mail at the address specified in the notice of
2665 intention and recorded with the registry of deeds or the registry district of the land court of the
2666 county in which the affected real property is located, within the option period. If the first refusal
2667 option has been assigned to a qualified developer selected pursuant to said items 7004-0070 and
2668 7004-0071 of said section 2, the written notice shall state the name and address of the developer
2669 and the terms and conditions of the assignment.

2670 An affidavit before a notary public that the notice of intent was mailed on behalf of an
2671 owner shall conclusively establish the manner and time of the giving of notice to sell, transfer or
2672 otherwise dispose of the property. The affidavit and notice that the option shall not be exercised
2673 shall be recorded with the registry of deeds or the registry district of the land court in the county
2674 in which the affected real property is located. Each notice of intention, notice of exercise of the

2675 purchase option or first refusal option and notice that the purchase option or first refusal option
2676 shall not be exercised shall contain the name of the recorded owner of the property and a
2677 reasonable description of the premises to be sold or converted. Each affidavit signed before a
2678 notary public shall have attached to it a copy of the notice of intention to which it relates. The
2679 notices of intention shall be mailed to the relevant parties in the care of the keeper of the records
2680 for the party in question. Upon notifying the owner in writing of its intention to exercise its
2681 purchase option or first refusal option during the 120 day period, the executive office or its
2682 assignee shall have an additional 120 days, beginning on the date the purchase option period or
2683 first refusal option period expires, to purchase the units. Those time periods may be extended by
2684 mutual agreement between the executive office or its assignee and the owner of the property.
2685 Any extension agreed upon shall be recorded in the registry of deeds or the registry district of the
2686 land court of the county in which the affected real property is located. Within a reasonable time
2687 after requesting an extension, the owner shall make available to the executive office or its
2688 assignee any information that is reasonably necessary for the executive office to exercise its
2689 option.

2690 SECTION 108. Notwithstanding any general or special law to the contrary, a private
2691 entity engaged in a construction, development, renovation, remodeling, reconstruction,
2692 rehabilitation or redevelopment project receiving funds pursuant to this act shall properly classify
2693 individuals employed on the project and shall comply with all laws concerning workers'
2694 compensation insurance coverage, unemployment insurance, social security taxes and income
2695 taxes with respect to all such employees. All construction contractors engaged by an entity on
2696 any such project shall furnish documentation to the appointing authority showing that all

2697 employees employed on the project have hospitalization and medical benefits that meet the
2698 minimum requirements of the connector established in chapter 176Q of the General Laws.

2699 SECTION 109. Notwithstanding any general or special law to the contrary, the
2700 unexpended and unencumbered balances of the bond-funded authorizations in the following
2701 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
2702 3000-0410, 7002-8032, 7004-0049, 7004-0050, 7004-0051, 7004-0052, 7004-0053, 7004-0055,
2703 7004-0056, 7004-0057, 7004-0058, 7004-0059, 7004-0060, 7004-0061, 7004-0062, 7004-0064,
2704 7004-0065, 7004-0066, 7004-0067, 7004-8016, 7004-8026.

2705 SECTION 110. To meet the expenditures necessary in carrying out sections 2 through 4,
2706 inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the
2707 commonwealth in an amount to be specified by the governor from time to time but not
2708 exceeding, in the aggregate, \$4,070,000,000. All bonds issued by the commonwealth as aforesaid
2709 shall be designated on their face, The Affordable Homes Act of 2023, and shall be issued for a
2710 maximum term of years, not exceeding 30 years, as recommended by the governor in a message
2711 to the general court dated October 18, 2023 under section 3 of Article LXII of the Amendments
2712 to the Constitution; provided, however, that all such bonds shall be payable not later than June
2713 30, 2059. All interest and payments on account of principal on such obligations shall be payable
2714 from the General Fund. Bonds and interest thereon issued under the authority of this section
2715 shall, notwithstanding any other provision of this act, be general obligations of the
2716 commonwealth. An amount not to exceed 2 per cent of the authorizations may be expended by
2717 the executive office of housing and livable communities for administrative costs directly
2718 attributable to the purposes of this act, including costs of clerical and support personnel. The
2719 secretary of housing and livable communities shall file an annual spending plan with the fiscal

2720 affairs division, the house and senate committees on ways and means, the house and senate
2721 committees on bonding, capital expenditures and states assets and the joint committee on
2722 housing which details, by subsidiary, all personnel costs and any administrative costs charged to
2723 expenditures made pursuant to this act.

2724 SECTION 111. To meet the expenditures necessary in carrying out section 5, the state
2725 may elect to issue Commonwealth bonds or utilize future appropriations for this express purpose,
2726 subject to the conditions specified in this act and subject to the laws regulating the disbursement
2727 of public funds for the fiscal year in which the sums are disbursed. The state treasurer shall, upon
2728 request of the governor, issue and sell bonds of the commonwealth in an amount to be specified
2729 by the governor from time to time but not exceeding, in the aggregate, \$50,000,000. All bonds
2730 issued by the commonwealth as aforesaid shall be designated on their face The Affordable
2731 Homes Act of 2023, and shall be issued for a maximum term of years, not exceeding 30 years, as
2732 recommended by the governor in a message to the general court dated October 18, 2023 under
2733 section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
2734 such bonds shall be payable not later than June 30, 2059. All interest and payments on account of
2735 principal on such obligations shall be payable from the General Fund. Bonds and interest thereon
2736 issued under the authority of this section shall, notwithstanding any other provision of this act, be
2737 general obligations of the commonwealth. An amount not to exceed 2 per cent of the
2738 authorizations may be expended by the executive office of housing and livable communities for
2739 administrative costs directly attributable to the purposes of this act, including costs of clerical
2740 and support personnel. The secretary of housing and livable communities shall file an annual
2741 spending plan with the fiscal affairs division, the house and senate committees on ways and
2742 means, the house and senate committees on bonding, capital expenditures and states assets and

2743 the joint committee on housing which details, by subsidiary, all personnel costs and any
2744 administrative costs charged to expenditures made pursuant to this act.

2745 SECTION 112. Section 13, 27 and 47 shall take effect 180 days from the effective date of
2746 this act.

2747 SECTION 113. Sections 21, 22, 24 and 25 shall take effect on January 1, 2025.

2748 SECTION 114. Sections 23 and 26 shall take effect on January 1, 2030.

2749 SECTION 115 Section 106 shall be repealed upon the expiration of section 104, as
2750 described in subsection (j) of said section 104, and the expenditure or transfer of all funds from
2751 the surplus real property disposition fund. The secretary of administration and finance shall file
2752 with the state secretary a notice which shall state the effective date of the repeal.