

HOUSE No. 4676

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 28, 2024.

The committee on Community Development and Small Businesses, to whom was referred the petition (accompanied by bill, House, No. 4065) of Daniel J. Ryan (with the approval of the mayor and city council) for legislation to improve and modernize planning and community development in the city of Boston, reports recommending that the accompanying bill (House, No. 4676) ought to pass [Local Approval Received].

For the committee,

PAUL MCMURTRY.

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

An Act to improve and modernize planning and community development in the city of Boston.

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. Statement of Purpose. It is the intent and purpose of this act to provide the
2 city of Boston, in this act called the city, with the tools and powers necessary to guide
3 certain public and private investments, and to otherwise address the issues and achieve the goals
4 expressed further in this act, all of which are designed to make the city a more resilient,
5 affordable and equitable community. It is further the intent of this act to encourage, to the
6 maximum extent practicable, the increased cooperation and coordination between the city and
7 the Boston Planning Board, in this act called the board, through additional and comprehensive
8 planning citywide, through increased transparency and public participation in the activities of the
9 board, and through the sharing, transfer and efficient deployment of personnel, funds, land and
10 other resources. The powers and duties to be carried out in accordance with the provisions of this
11 act shall be carried out in a manner to promote equity amongst all, and that is, to the maximum
12 extent practicable, fair, and equitable to all of the city’s residents and businesses.

13 Section 2. Declaration of Necessity. It is hereby declared that there exists in the city:

14 (a) areas that suffer disproportionately from historically inequitable treatment and lack of
15 access to opportunities afforded to the city as a whole, creating wide disparities with respect to
16 equality of economic opportunity, health, safety and quality of life; (b) a crisis created by the
17 lack of affordability in the city for the city's businesses and residents measured against continual
18 and high demand; and (c) threats to large areas of the city brought about by the effects of the
19 changes to climate; that each of these issues has been extensively documented in studies and
20 reports contributing to the passage of this act; that resiliency, affordability and equity are issues
21 that require governmental intervention to be properly and comprehensively addressed; that each
22 of these issues presents a threat, and contributes substantially, to the safety, health, and quality of
23 life of the residents of and companies doing business in the city, necessitating excessive and
24 disproportionate expenditure of public funds for the preservation of the public health and safety
25 and quality of life and for the maintenance of adequate public spaces, services and facilities; that
26 the city requires additional tools that are adaptable for today's economy and the economy of the
27 future and the technology that is available today and that will be further advanced in the future;
28 that these tools are necessary to create additional opportunities and guide the types of public and
29 private investments deemed necessary to achieve the objectives of this act; that each of these
30 issues constitute an economic and social liability which substantially impairs the city; that each
31 of these issues decrease the value of private investments and threatens the sources of public
32 revenue and the financial stability of communities within the city; that because of the economic
33 and social interdependence of different communities and of different areas within the city and
34 because of the critical need to address the needs of all of the city's citizens in an equitable
35 manner, the redevelopment of land in accordance with one or more plans to address the issues
36 that are the subject of this act are necessary; that, while some actions may be accomplished

37 through existing means and law and through the operations of private action, through publicly
38 initiated action, or through a combination of both private and public action, in cases where it is
39 found that private actions taken alone are unlikely to remedy the conditions that lead to these
40 issues, the actions authorized by this act, including but not limited to, the construction, financing,
41 restoration, renovation, rehabilitation, preservation, or removal of structures and the acquisition
42 and disposition of property as circumstances may warrant, and the general improvement of sites
43 for these purposes is necessary to accomplish these objectives; the disposition of the property for
44 the purpose of the foregoing, the exercise of powers consistent with this act and any assistance
45 which may be given by the city and the board created by this act are public uses and purposes for
46 which public money may be expended and the power of eminent domain exercised; and that the
47 acquisition, planning, clearance, conservation, restoration, renovation, rehabilitation,
48 preservation or rebuilding of such areas for such purposes, including the provision of multi-
49 modal and complete streets, enhancements and improved access to transit facilities, parks, flood
50 control structures, greenways, technological infrastructure, recreational areas and other spaces
51 and improvements in housing and commercial properties, are public uses and benefits for which
52 private property may be acquired by eminent domain or regulated by reasonable orders, laws and
53 directions and for which public funds may be expended for the betterment of the city.

54 It is hereby further declared that there is a serious issue of affordability in the city,
55 including a shortage of housing in the city that can be afforded by persons and families of low
56 and moderate income and including other issues of affordability in many forms including the
57 ability for Bostonians to incubate, launch and grow businesses; that it is in the best
58 interest of the commonwealth to encourage programs to provide jobs, opportunities, housing and
59 other assistance for such persons without imposing on them undue financial hardship; and that in

60 undertaking such programs and assistance using the tools and the powers set forth in this act, the
61 board will be able to promote the health and prosperity of all citizens of the city, and thereby
62 serve a public purpose for the benefit of the general public.

63 It is hereby further found that there is a need in the city to improve energy and water
64 efficiency in both new and existing buildings, to enhance indoor air quality and sustainability, to
65 facilitate the implementation of zero-emission electricity generation, to further the use and
66 proliferation of electric and other vehicles fueled by alternatives to fossil fuels, to further the use
67 of low-emission and/or sustainable building materials and processes, to promote, support, and
68 incentivize energy storage, building electrification, adaptive reuse of existing structures, urban
69 cooling strategies, the conservation, restoration, and protection of coastal and marine habitats,
70 greenhouse gas emission reduction activities, and to advance other projects in the city that
71 address and implement climate resilience strategies, and that in undertaking such programs and
72 assistance using the tools and the authorities set forth in this act the board will promote the health
73 and prosperity of all citizens of the city and thereby serve a public purpose for the benefit of the
74 general public.

75 The provisions of this act relating to the issues addressed in this act are hereby declared
76 as a matter of legislative determination.

77 Section 3. Definitions.

78 As used in this act, the following words shall, unless the context clearly requires
79 otherwise, have the following meanings:—

80 “board,” the Boston Planning Board.

81 “authority,” the Boston Redevelopment Authority.

82 “affordable” or “affordability,” the ability of persons and families of low and moderate
83 income to procure and retain within the city safe and secure housing that provides reasonable
84 access to transportation, employment, and educational opportunities without the imposition of
85 undue financial hardship, and the ability of persons seeking to incubate, launch and grow
86 businesses within the city to pursue such opportunities without the imposition of undue financial
87 hardship.

88 “affordable housing” the same meaning as set forth in section 17 of the Boston zoning
89 enabling act.

90 “Boston zoning enabling act,” chapter 665 of the acts of 1956, as most recently amended
91 by chapter 365 of the acts of 2020, and as may be further amended from time to time.

92 “BRS,” the Boston Retirement System.

93 “city,” the city of Boston.

94 “community development,” actions, projects, or activities that develop and improve the
95 city or its neighborhoods in ways consistent with the powers and duties of the board and the
96 objectives of this act, including but not limited to (i) creating or expanding economic,
97 educational, transportation, or housing opportunities for low and moderate income people; (ii)
98 creating or expanding economic opportunities for new or existing local businesses; (iii)
99 establishing, improving, or enhancing public facilities, public social services, or physical or
100 technological infrastructure; or (iv) improving, revitalizing, preserving, conserving, or
101 rehabilitating the built environment or the natural environment.

102 “corporation,” the Economic Development and Industrial Corporation of Boston.

103 “department,” the Department of Housing and Community Development or its successor.

104 “effective date,” the date set forth in section 4 of this act.

105 “insurance commission” the Group Insurance Commission.

106 “resilient” or “resiliency,” actions, projects, or activities that anticipate, assess, prepare
107 for, respond to, reduce, mitigate, manage, or adapt to either the risks or the adverse impacts of
108 climate change (including but not limited to extreme weather events, drought, coastal and inland
109 flooding, sea level rise and increased storm surge, wildfires, and extreme temperatures), as such
110 risks or adverse impacts may affect the city’s natural environment, the city’s built environment,
111 the city’s economy, the city’s populace, or any combination thereof.

112 “zoning commission,” the Boston Zoning Commission.

113 Section 4. Effective Date. Section 7(a) of this act shall be effective as of July 1,
114 2024. In order to provide the necessary time to plan for the implementation of this act, the
115 remaining provisions of this act shall be effective on the date the authority and corporation file
116 appropriate certificates of dissolution with the office of the secretary of the commonwealth but in
117 no event later than a date that is one hundred eighty days from the date the act is approved by the
118 Governor.

119 Section 5. Abolition of the Boston Redevelopment Authority. The Boston
120 Redevelopment Authority, doing business as the Boston Planning & Development Agency,
121 referred to in this act as the authority, is hereby abolished.

122 Section 6. Abolition of the Economic Development and Industrial Corporation of
123 Boston. The Economic Development and Industrial Corporation of Boston, referred to in this act
124 as the corporation, is hereby abolished.

125 Section 7. Creation of the Boston Planning Board.

126 (a) There shall be a public body politic and corporate to be known as the Boston
127 Planning Board, in this act called the board. The board is hereby constituted as a public
128 instrumentality and the exercise by the board of the powers conferred by this act shall be
129 considered to be the performance of an essential governmental function.

130 (b) Subject to the limitations set forth in this act, the board is hereby constituted as a
131 redevelopment authority of the city, and shall have all of the powers and duties conferred on
132 redevelopment authorities pursuant to chapter 121B, as amended or otherwise.

133 (c) The board shall also have all of the powers and duties of the Boston
134 Redevelopment Authority as set forth in chapter 652 of the acts of 1960, as amended or
135 otherwise.

136 (d) The board shall also have all of the powers and duties of the economic
137 development and industrial corporation of Boston as set forth in chapter 1097 of the acts of 1971,
138 as amended, and all of the powers and duties conferred on economic development and industrial
139 corporations pursuant to chapter 121C, as amended or otherwise.

140 (e) The board shall be managed, controlled and governed by a body of five
141 members who shall be appointed and shall serve in accordance with the requirements of
142 chapter 121B.

143 (f) Until such time as the authority and the corporation are abolished pursuant to
144 sections 5 and 6 of this act, the board shall work with the authority and the corporation toward
145 the completion of an orderly transition of all matters detailed in section 15 of this act.

146 Section 8. Planning and Zoning Functions in the City of Boston.

147 (a) Section 12 of chapter 652 of the acts of 1960, as most recently amended by
148 section one of chapter 341 of the acts of 1993, is hereby amended by deleting the final
149 paragraph.

150 (b) Section 3 of the Boston zoning enabling act is hereby further amended by striking
151 the second sentence of that section and replacing it with the following:-

152 “No zoning regulation originally establishing the boundaries of a district or the
153 regulations and restrictions to be enforced therein, and no such regulation amending the same as
154 aforesaid, shall be adopted until the Boston Planning Board shall have submitted a report with
155 recommendations concerning such regulation or amendment or allowed twenty days to elapse
156 after receipt from the zoning commission of a request for such a report without making such a
157 report, nor until after the zoning commission shall have given notice and held public hearing
158 with respect to such regulation or amendment.”

159 (c) Section 8 of said enabling act is hereby further amended by striking the words
160 “Boston Redevelopment Authority” where they appear in the seventh and ninth paragraphs of
161 that section and replacing them with the words:- “Boston Planning Board.”

162 (d) Section 16 of said enabling act is hereby further amended by striking the words
163 “Boston Redevelopment Authority hereinafter referred to as BRA,” as they appear in the second

164 paragraph of that section and replacing them with the words:- “Boston Planning Board
165 hereinafter referred to as the Planning Board.”

166 (e) Sections 16, 17, 18, 21 and 22 of said enabling act is hereby further amended by
167 replacing the letters “BRA” each time they appear in said sections with:- “Planning Board.”

168 (f) Section 21 of said enabling act is hereby further amended by striking the words
169 “Boston Redevelopment Authority” as they appear in said section and replacing them with:-
170 “Boston Planning Board.”

171 Section 9. Cooperation Between Board and City.

172 (a) To the maximum extent determined to be practicable by the board and the city:

173 (i) the board shall make use of the services of the agencies, officers and employees
174 of the city and the city shall, if requested, make available such services, all in accordance with
175 the provisions of section 7 of chapter 121B;

176 (ii) the city shall make use of the services of the board and the board shall, if
177 requested, make available such services; and

178 (iii) property owned by the board determined by the board to be no longer necessary in
179 undertaking its statutory and other responsibilities may be transferred to the city, provided that
180 the city shall accept such property subject to any existing lease.

181 Section 10. Additional Powers and Duties of the Board. The board shall have all the
182 powers necessary or convenient to carry out and effectuate the purposes of relevant provisions of
183 the General Laws, and shall have the following powers in addition to those specifically granted
184 in this act:

185 (a) To prepare and implement plans to address issues pertaining to affordability in the
186 entire city or in such areas of the city as it determines to be necessary, including the creation of
187 new affordable housing and retention of existing affordable housing, and the development of
188 methods to address business incubation and affordability in the city, subject, however, to the
189 requirements of section 11 of this act;

190 (b) To prepare and implement plans to provide for resiliency and to combat the
191 impacts of climate change in the entire city or in such areas of the city as it determines to be
192 necessary, subject, however, to the requirements of section 11 of this act;

193 (c) To prepare and implement community development plans in the entire city or in
194 such areas of the city as it determines to be necessary, subject, however, to the requirements of
195 section 11 of this act;

196 (d) To take necessary action and create policies and programs as needed to ensure the
197 equitable distribution across the city of benefits from development;

198 (e) To create and implement programs to address any historically inequitable
199 distribution of board resources or historically inequitable policies that may have led to inequities
200 in the growth of the city;

201 (f) To prepare plans to develop and test methods and techniques and to carry out
202 demonstrations to implement projects and programs in furtherance of the objectives of this act;

203 (g) To provide recommendations, advice, technical assistance and staffing to the
204 zoning commission as may be requested by the director from time to time;

205 (h) To create such internal offices, divisions, or departments as it may deem
206 necessary to carry out the provisions of this act;

207 (i) To act as a public economic development agency for the purposes of chapter 30B
208 and to dispose of by sale or lease or to acquire by purchase, lease, eminent domain or otherwise
209 residential, institutional, industrial or commercial real property for purposes in furtherance of this
210 act in accordance with a plan approved by the members of the board;

211 (j) To enter into, administer, extend, amend and enforce cooperation and other
212 agreements with the city, state and federal agencies and other public and private organizations
213 and persons to further the objectives of this act, subject, however, to the provisions of applicable
214 law;

215 (k) To conduct research, issue reports and engage in similar activities consistent with
216 its powers as detailed in this act;

217 (l) To perform any of the following acts in any location in the city irrespective of
218 whether such location is included within an area covered by a plan adopted in accordance with
219 this act: to make confirmatory eminent domain takings in order to confirm title to real estate; to
220 make and receive loans to or from any party, to receive gifts from any party, and to make
221 investments all for purposes consistent with this act; to acquire and transfer property
222 discontinued by the public improvement commission or other city entity; to grant or receive
223 utility easements; and to acquire or transfer a property interest to or from another public entity;
224 and

225 (m) To enter into project-specific agreements with the city providing for payments in
226 excess of the amount determined in accordance with the provisions of the first paragraph of
227 section 16 of chapter 121B.

228 Section 11. Additional Requirements for Resiliency, Affordability, and Community
229 Development Plans. The following requirements shall apply to plans proposed pursuant to
230 sections 10(a), 10(b) and 10(c) of this act.

231 (a) Whenever the board determines that such a plan should be implemented, it shall
232 first submit said plan to the mayor of the city for approval. Such application shall be
233 accompanied by the plan, a statement of the proposed method for financing the activities
234 contemplated in the plan, and any such other information as the board in its discretion deems
235 advisable.

236 (b) Whenever a public hearing on a plan is held, notice thereof shall be sent to the
237 Boston Landmarks Commission together with a map indicating the area included in such plan.

238 (c) No such plan shall be implemented until a public hearing on such plan has been
239 held after notice provided in the manner required by section 20 of chapter 30A before the board
240 and the plan has been approved by the members of the board and the mayor. The board shall
241 accept written comments prior to such hearing.

242 (d) Every plan submitted to the mayor for approval shall include a description of the
243 goals of the plan, the areas to be impacted by the plan and a statement describing how the plan is
244 consistent with the planning conducted in those areas, the proposed public and private
245 improvements proposed as a part of the plan, and a financial plan associated with the plan
246 together with findings by the members of the board that the plan is consistent with this act and

247 will further the board's public purposes, and shall include a relocation plan prepared in
248 accordance with the requirements of chapter seventy-nine A to the extent required by applicable
249 law.

250 (e) The mayor shall not approve any such plan except upon a determination that the
251 plan will further the purposes of this act, giving due consideration to the findings of the members
252 of the board set forth in Section 11(d) above.

253 (f) Every plan approved by the mayor that seeks financial assistance from any agency
254 or authority of the commonwealth shall be subject to the further approval of the department and
255 shall be submitted to the department together with such other material as the department may
256 require.

257 (i) The department shall not approve any such plan unless the board has made the
258 findings required by this section, the mayor has approved the plan, and the department concurs in
259 the findings made by the board.

260 (ii) Within sixty days after submission of the plan, the department shall give written
261 notice to the board of its decision with respect to the plan. If the department disapproves any
262 such plan, it shall state in writing in such notice its reasons for disapproval. A plan which has not
263 been approved by the department when submitted may be submitted to the department again with
264 such modifications, supporting data or arguments as are necessary to meet the department's
265 objections. The department may hold a public hearing upon any plan submitted to it and shall do
266 so if requested in writing within ten days after submission of the plan by the board, the mayor, or
267 twenty-five or more residents of the city.

268 (iii) Any provision in this subsection to the contrary notwithstanding, when the
269 location of a proposed plan has been determined, the board may, without awaiting the approval
270 of the department, proceed to acquire or otherwise obtain control of such property within the
271 plan area as is necessary to carry out the objectives of the plan; but it shall not, without the
272 approval of the department if such approval is required by this subsection, unconditionally
273 obligate itself to purchase or otherwise acquire any such property except as provided in section
274 forty-seven of chapter 121B.

275 (g) When the plan has been approved by the mayor, and to the extent required by this
276 act, the department, and notice of such approvals has been given to the board, the board may
277 proceed at once to take any and all actions to implement the plan including, without limitation, to
278 acquire and dispose of real estate within the location of the plan area, either by eminent domain
279 or by sale, grant, purchase, lease, gift, exchange or otherwise.

280 Section 12. Termination and Sunsetting of Urban Renewal Powers.

281 (a) From and after the effective date, notwithstanding any provisions of chapter 121B
282 to the contrary, the board shall not be authorized to adopt any new urban renewal plan, nor to
283 make any findings pertaining to blighted open, decadent or substandard conditions in the city,
284 but shall, to the extent determined to be necessary or convenient for the board as determined by
285 its members, remain obligated to perform such actions, to enforce such conditions or to benefit
286 from any restrictions or other provisions as such actions, conditions, restrictions, or other
287 provisions are set forth in any contract or plan in effect as of the effective date

288 (b) To the extent necessary to take an action, to enforce a condition, or to benefit
289 from a restriction or other provision in such plan, the board is hereby authorized to extend,

290 terminate or amend such urban renewal and other plans that may be in existence as of the
291 effective date subject to the requirements of applicable law and this section, and such additional
292 terms as it may determine to be appropriate.

293 (c) Notwithstanding the provisions of any general or special law, contract or urban
294 renewal plan to the contrary, prior to and upon the termination of any urban renewal plan, the
295 board shall be entitled to continue to enforce such conditions or to benefit from any restrictions
296 or other provisions, as such actions, conditions, restrictions, or other provisions are set forth in
297 any contract or plan in effect as of the effective date through December 31, 2060, provided that
298 the board shall be authorized to terminate, extend, modify or amend any such condition,
299 restriction or other provision by agreement.

300 (d) In preparing, adopting and implementing any resiliency, affordability, community
301 development or other plans authorized by this act, the board shall, except as modified by the
302 provisions of this act, be subject to the requirements and shall have all of the powers set forth in
303 chapter 121B.

304 Section 13. Cooperation With Local, State and Federal Agencies and Programs.

305 The board is authorized, with the approval of the mayor of the city, to enter into loans,
306 grants, contracts and other agreements with the local, state, federal, or other government entity
307 relative to the acceptance or borrowing of funds or other assistance for any project it is
308 authorized to undertake in accordance with this act and to secure such local, state, federal and
309 other funds and assistance as may be available, including, without limitation, funding and other
310 assistance made available through chapters 43D and 40R of the general laws, the Community
311 Renewal Tax Relief Act of 2000, the Tax Reform Act of 1986, the Disaster Mitigation Act of

312 2000, the Bipartisan Infrastructure Investment and Jobs Act of 2021, the CHIPS and Science Act
313 of 2022, the Inflation Reduction Act of 2022 and other laws or programs providing funding or
314 other assistance consistent with the provisions of this act, as those laws and programs may be
315 amended and revised from time to time, which loans, grants, contracts and other
316 agreements shall contain such covenants, terms and conditions as the board and such board of the
317 government may deem desirable.

318 Section 14. Matters Pertaining to Urban Redevelopment Corporations.

319 (a) Projects undertaken by any entity approved under chapter 652 of the acts of 1960,
320 as amended, and chapter 121A of the general laws shall, in addition to the types of projects
321 authorized by said laws, also include projects authorized under section 10 of this act; provided,
322 that each such project shall be accompanied by a plan and shall be otherwise subject to the
323 requirements of section 11 of this act.

324 (b) The board shall be authorized to review, improve, approve and monitor any such
325 project or plan in the same manner as provided by chapter 652, as amended, and said chapter
326 121A.

327 Section 15. Transfer of Personnel and Obligations.

328 (a) Notwithstanding any general or special law to the contrary, as of the effective
329 date:

330 (i) all personnel employed by the authority or the corporation shall become
331 employees of the board consistent with and subject to the requirements of this act;

332 (ii) all assets, accounts, liabilities, obligations, real and personal property and debt of
333 the authority and the corporation are hereby transferred to the board, and, without further
334 conveyance or other act, all the assets, accounts liabilities, obligations, real and personal property
335 and debt, as well as all rights, powers and duties of the authority and the corporation shall
336 be transferred to, and assumed by, the board;

337 (iii) ownership, possession and control of all personal property, including, but without
338 limitation, all equipment, books, maps, papers, plans, records and documents of whatever
339 description then belonging to the authority and the corporation shall pass to, and be vested in, the
340 board without consideration or further evidence of transfer and shall thereafter be in the
341 possession and control of the board;

342 (iv) ownership, possession and control of all real property, including, without
343 limitation, all land, buildings, easement, restrictions and other interests in land and other property
344 that are owned or held by the authority or the corporation shall pass to, and be vested in, the
345 board without consideration or further evidence of transfer and shall thereafter be in the
346 possession and control of the board; and

347 (v) all duly existing contracts, leases, land disposition agreements, collective
348 bargaining agreements and obligations of the authority and the corporation which are in force
349 immediately before the effective date shall be deemed to be the obligations of the board but shall
350 otherwise be unaffected by this act, and no existing right or remedy with respect to any such
351 matter shall be lost, impaired or affected by this act.

352 (b) The board shall be authorized to establish such bylaws, systems, procedures,
353 accounts, and processes as it determines to be necessary or desirable in connection with the

354 assumption, management, operation and administration of the personnel, assets, accounts,
355 liabilities, obligations, real and personal property and debt of the authority and the corporation.

356 (c) The board shall have authority to exercise all rights and enjoy all interests
357 conferred upon the authority and the corporation by any such contracts, leases, land disposition
358 agreement or other obligation, including any collective bargaining agreement in existence as of
359 the effective date.

360 (d) The transfer provided by this act shall be effective upon the effective date and
361 shall bind the board and all other persons with or without notice and without any further action
362 or documentation.

363 (e) Without derogating from the foregoing, the board may, from time to time, execute
364 and record and file for registration with any registry of deeds or the land court or with the
365 secretary of the commonwealth, as appropriate, a certificate confirming the board's ownership of
366 any interest in real or personal property formerly held by the authority or the corporation and
367 transferred pursuant to the provisions of this act and establishing and confirming the rights so
368 transferred.

369 (f) This act shall not limit or impair the rights, remedies, or defenses of the board, the
370 authority or the corporation in or to any such action including, without limitation, chapter 258 of
371 the General Laws; provided, however, that from and after the effective date any action pending
372 related to such rights, remedies or defenses shall continue unabated and may be completed
373 against or by the board.

374 (g) No existing rights of the holders of the bonds issued by the authority or the
375 corporation shall be impaired, and the board, as successor in interest to the authority and the

376 corporation, shall maintain the covenants of the trust indentures pertaining to such bonds so long
377 as such bonds shall remain outstanding.

378 Section 16. Survival of Existing Rules and Matters. Notwithstanding any general or
379 special law to the contrary, any order, rule, or regulation duly promulgated, or any license,
380 permit, certificate, right or approval duly granted or held, by or on behalf of the authority or the
381 corporation shall continue in effect from and after the effective date and shall be enforced by the
382 board until superseded, revised, rescinded or cancelled. Any proceeding before the authority or
383 the corporation pending as of the effective date shall be assumed by the board and shall continue
384 unaffected and without need to be re-noticed or recommenced.

385 Section 17. Other Personnel Matters Related to Transfer of Employees.

386 (a) Notwithstanding any other general or special law to the contrary, the board may
387 enter into contracts to create and permit employee contributions to individual retirement accounts
388 for employees of the board pursuant to sections 64A to 64C, inclusive, of chapter 29 of the
389 General Laws.

390 (b) The provisions of section 52 of chapter 121B shall not apply to employees of the
391 board; provided, however, that such section shall continue to apply to any employee of the
392 authority subject to the requirements of such section as of the effective date.

393 (c) All members, officers and employees of the authority and the corporation
394 transferred to the service of the board shall be transferred without impairment of seniority,
395 retirement or other statutory rights of employees, without loss of accrued rights to benefits,
396 holidays, sick leave, vacation pension, and all other benefits, except as otherwise provided in this
397 act. All employees of the board shall be eligible for group insurance benefits provided by the

398 insurance commission or otherwise. Terms of service of employees of the authority and the
399 corporation shall not be deemed to be interrupted by virtue of transfer to the board.

400 (d) Notwithstanding any general or special law to the contrary, current or future
401 retired employees of the authority and the corporation and the surviving spouses of active or
402 retired employees who are eligible for group insurance coverage pursuant to this section and said
403 chapter 32A shall have said eligibility and coverage transferred from the insurance commission
404 to the eligibility and coverage offered by the board and shall receive the full extent of benefits
405 provided to employees of the board. Such persons shall cease to be eligible or insured by the
406 authority or corporation, as applicable. The insurance commission shall provide uninterrupted
407 coverage for group life and accidental death and dismemberment insurance and group general or
408 blanket insurance providing hospital, surgical, medical, dental and other health insurance
409 benefits to the extent authorized under said chapter 32A. All questions relating to group
410 insurance rights, obligations, costs and payments shall be determined solely by the insurance
411 commission, and shall include the manner and method for the payment of all required premiums
412 applicable to all such coverage.

413 (e) Nothing in this act shall be construed to affect the eligibility and coverage of
414 retired authority or corporation employees and the surviving spouses of active or retired
415 employees who are eligible for group insurance coverage under a plan offered by the authority or
416 corporation or who are insured under a plan offered by the authority or the corporation.

417 (f) Notwithstanding any other general or special law to the contrary, employees of
418 the corporation who become employed by the city on or after June 29, 2024 and before the
419 effective date of this act with no break in service between the corporation and the city, and

420 employees of the board who become employed by the city on or after the effective date of this
421 act with no break in service between the board and the city, shall have a one-time opportunity to
422 purchase as creditable service in the BRS prior service to the corporation and the board rendered
423 before the member joined the BRS, provided that prior to the date any retirement allowance
424 becomes effective, the member pays into the annuity savings fund of the BRS in one sum, or in
425 installments, upon such terms and conditions as the BRS may prescribe, make-up payments of an
426 amount equal to that which would have been withheld as regular deductions from the member's
427 regular compensation had the member been eligible for membership and been a member of the
428 BRS during such previous period, together with buyback interest. Former employees of the
429 corporation must be members in service of BRS when they apply for the purchase of service
430 credit and may request an estimate of the cost of their service purchase from the BRS prior to
431 becoming an employee of the city.

432 (g) Appropriate staff from the authority and corporation, in cooperation with the city,
433 shall determine the appropriate job titles for employees transferred to the board and the
434 appropriate job titles for employees to be transferred to the city. Employees transferred to the
435 board shall be placed in job titles and shall be paid wages and receive benefits consistent with the
436 collective bargaining agreement governing such job title(s) (if any) or if no collective bargaining
437 agreement exists for such employees, then consistent with the existing pay and benefits
438 governing such job title(s) as determined by the board.

439 Section 18. Requirement for Audit. Not later than one year from the effective date, the
440 board shall cause to be completed and filed with city council, mayor, and office of the state
441 auditor a closeout audit of the authority and the corporation. The audit shall include a

442 catalogue of the status of the authority's and corporation's finances, operations, revenues,
443 debt structure, and internal policies and procedures and the transfer of such matters to the board.
444 The city and the board shall determine an appropriate party to conduct the audit by mutual
445 agreement.

446 Section 19. Relationship to Other Laws. This act shall provide additional, alternative
447 and complete methods for accomplishing the purpose of this act and shall be construed to be
448 supplemental and additional to, and not in derogation of any powers conferred upon the board by
449 law; provided, however, that insofar as the provisions of this act are inconsistent with any
450 general or special law, administrative order or regulation, the provisions of this act shall be
451 controlling.

452 Section 20. Evidence of Abolition of Authority and Corporation. Sections 5 and 6 of this
453 act shall be effective as of a date that is not more than one hundred eighty days from the effective
454 date, and shall be evidenced by the filing of a certificate with the secretary of the commonwealth
455 executed by authority and the corporation and acknowledged by the board as the successor to the
456 authority and the corporation.

457 Section 21. Severability. The provisions of this act are hereby declared to be severable
458 and if any such provision or the application of such provision to any person or circumstances
459 shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not be
460 construed to affect the validity or constitutionality of any of the remaining provisions of said
461 chapter or the application of such provision to persons or circumstances other than those as to
462 which it is held invalid. It is hereby declared to be the legislative intent that said chapter would
463 have been adopted had such invalid or unconstitutional provisions not been included therein.