

HOUSE No. 4804

House bill No. 4789, as amended and passed to be engrossed by the House. June 27, 2024.

The Commonwealth of Massachusetts

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

An Act relative to strengthening Massachusetts’ economic leadership.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith finance improvements to the commonwealth’s economic infrastructure, drive industry innovation, and promote economic opportunity and job creation, 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 program of community development, economic
2 opportunities, support for local governments, increased industry innovation, job creation and the
3 promotion of economic reinvestment through the funding of infrastructure improvements the
4 sums set forth in sections 2 to 2C, inclusive, for the several purposes and subject to the
5 conditions specified in this act, are hereby made available, subject to the laws regulating the
6 disbursement of public funds. These sums shall be in addition to any amounts previously
7 authorized and made available for the purposes of those items. The sums set forth in sections 2 to
8 2B, inclusive, shall be made available until June 30, 2029. The sums set forth in section 2C shall
9 be made available until June 30, 2034.

10 SECTION 2.

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EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Office of the Secretary

7002-1352 For a grant program to coastal communities to be administered by the seaport economic council established by Executive Order No. 564; provided, that funding shall be used for community planning and investment activities that stimulate economic development and create jobs in the maritime economy sector, and to construct, improve, repair, maintain and protect coastal assets that are vital to achieving these goals; and provided further, that the planning, prioritization, selection and implementation of projects shall consider climate change impacts in furtherance of the goals of climate change mitigation and adaptation consistent with the integrated state hazard mitigation and climate change adaptation plan..... \$100,000,000

7002-1522 For grants administered by Massachusetts Technology Development Corporation established in section 2 of chapter 40G of the General Laws, and doing business as MassVentures; provided, that such grants shall be made on a competitive basis to growing Massachusetts-based companies commercializing technologies developed with assistance of a Small Business Innovation Research or Small Business Technology Transfer grant from a federal agency, including, but not limited to, the United States Department of Defense, the United States Department of Energy or the National Science Foundation.....\$25,000,000

7002-1523 For grants administered by Massachusetts Technology Development Corporation established in section 2 of chapter 40G of the General Laws, and doing business as MassVentures; provided, that such grants shall be made on a competitive basis to Massachusetts-based companies in support of alternative proteins developed with assistance of a Small Business Innovation Research or Small Business Technology Transfer grant from a federal agency,

33 including, but not limited to, the United States Department of Energy, the United States
34 Department of Agriculture, the United States Food and Drug Administration or the National
35 Science Foundation.....\$5,000,000

36 7002-8003 For the Massachusetts Technology Park Corporation established in section
37 3 of chapter 40J of the General Laws for matching grants that support alternative proteins among
38 private entities, institutions of higher education, non-profits and other public or quasi-public
39 entities located in the commonwealth; provided, that grants shall be awarded and administered
40 consistent with the strategic goals and priorities of the Massachusetts advanced manufacturing
41 collaborative established in section 10B of chapter 23A of the General Laws; and provided
42 further, that grants shall be awarded in a manner that promotes geographic, social and economic
43 equity.....\$5,000,000

44 7002-8039 For the Scientific and Technology Research and Development Matching
45 Grant Fund established in section 4G of chapter 40J of the General Laws.....\$95,000,000

46 7002-8044 For a program to be administered by the Massachusetts Development
47 Finance Agency for site assembly, site assessment, predevelopment permitting and other
48 predevelopment and marketing activities that enhance a site’s readiness for commercial,
49 industrial or mixed-use development; provided, that a portion of the funds may be used to
50 facilitate the expansion or replication of successful industrial parks and to support the
51 revitalization of downtown centers..... \$3,000,000

52 7002-8046 For the Massachusetts Growth Capital Corporation established pursuant to
53 section 2 of chapter 40W of the General Laws for a program to provide matching grants to
54 community development financial institutions certified by the United States Treasury or

55 community development corporations certified under chapter 40H of the General Laws to enable
56 them to leverage federal or private investments for the purpose of making loans to small
57 businesses; provided, that such programs shall prioritize socially or economically disadvantaged
58 businesses, which may include, but shall not be limited to, minority-owned, women-owned,
59 veteran-owned or immigrant-owned small businesses, that have historically faced obstacles to
60 accessing capital..... \$35,000,000

61 7002-8053 For the Brownfields Redevelopment Fund established in section 29A of
62 chapter 23G of the General Laws..... \$30,000,000

63 7002-8054 For the Massachusetts Growth Capital Corporation established in section 2
64 of chapter 40W of the General Laws, in consultation with the microbusiness development center
65 within the Massachusetts office of business development, to provide grants to low- and
66 moderate-income entrepreneurs to acquire, expand, improve or lease a facility, to purchase or
67 lease equipment or to meet other capital needs of a business with not more than 20 employees
68 and annual revenues not exceeding \$2,500,000, including alternative energy generation projects;
69 provided, that preference shall be given to businesses located in low-income or moderate-income
70 areas or socially or economically disadvantaged businesses, which shall include, but shall not be
71 limited to, minority-owned, women-owned, immigrant-owned or veteran-owned businesses; and
72 provided further, that grants shall be awarded in a manner that promotes geographic
73 equity.....\$10,000,000

74 7002-8056 For a competitive grant program administered by the office of travel and
75 tourism; provided, that funds may be used to improve facilities and destinations visited by in-
76 state and out-of-state travelers to increase visitation, entice repeat visitation and promote the

77 direct and indirect economic impacts of the tourism industry in all regions of the commonwealth;
78 provided further, that grants shall support the design, repair, renovation, improvement, expansion
79 and construction of facilities owned by municipalities or non-profit entities; provided further,
80 that in evaluating grant applications, priority shall be given to projects located in state-designated
81 cultural districts and projects that promote nature-based, agricultural and other forms of rural
82 tourism; provided further, that all grantees to improve facilities and destinations visited by in-
83 state and out-of-state travelers shall provide a match based on a graduated formula determined by
84 the office of travel and tourism; provided further, that grant recipients shall be required to
85 measure and report on return-on-investment data after the expenditure of grant funds; provided
86 further, that grants shall be awarded in a manner that promotes geographic equity; and provided
87 further, that a portion of the funding may be used to make capital investments that support the
88 commemoration of the 250th anniversary of the founding of the United States..... \$40,000,000

89 7002-8057 For the Commonwealth Zoological Corporation established in section 2 of
90 chapter 92B of the General Laws, for costs associated with the preparation of plans, studies and
91 specifications, repairs, construction, renovations, improvements, maintenance, asset management
92 and demolition and other capital improvements including those necessary for the operation of
93 facilities operated by Zoo New England, including the Franklin Park Zoo and the Walter D.
94 Stone Memorial Zoo..... \$15,000,000

95 7002-8058 For the Massachusetts Broadband Incentive Fund established in section
96 6C of chapter 40J of the General Laws, for capital repairs and improvements to broadband
97 infrastructure owned by the Massachusetts Technology Park Corporation established in section 3
98 of chapter 40J.....\$10,000,000

99 7002-8059 For the Massachusetts Technology Park Corporation established in section
100 3 of chapter 40J of the General Laws for grant programs that support collaboration among
101 manufacturers located in the commonwealth and institutions of higher education, non-profits or
102 other public or quasi-public entities; provided, that eligible grantees shall include, but not be
103 limited to, participants in the Manufacturing USA institutes, public and private academic
104 institutions, non-profits and private business entities; provided further, that grant programs
105 funded from this item shall consider the strategic goals and priorities of the Massachusetts
106 advanced manufacturing collaborative established in section 10B of chapter 23A of the General
107 Laws; and provided further, that grants shall be awarded in a manner that promotes geographic,
108 social, racial, and economic equity.....\$99,000,000

109 7002-8061 For the MassWorks infrastructure program established in section 63 of
110 chapter 23A of the General Laws.....\$400,000,000

111 7002-8062 For a program to provide assistance to projects that will improve,
112 rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the
113 public purposes of eliminating blight, increasing housing production, supporting economic
114 development projects, increasing the number of commercial buildings accessible to persons with
115 disabilities and conserving natural resources through the targeted rehabilitation and reuse of
116 vacant and underutilized property; provided, that such assistance shall take the form of a grant or
117 a loan provided to a municipality or other public entity, a community development corporation,
118 non-profit entity or for-profit entity; provided further, that eligible uses of funding shall include,
119 but not be limited to: (i) improvements and additions to or alterations of structures and other
120 facilities necessary to comply with requirements of building, fire or other life safety codes and
121 regulations pertaining to accessibility for persons with disabilities, where such code or regulatory

122 compliance is required in connection with a new commercial, residential or civic use of such
 123 structure or facility; and (ii) the targeted removal of existing underutilized structures or facilities
 124 to create or activate publicly-accessible recreational or civic spaces; provided further, that
 125 financial assistance offered pursuant to this line item may be administered by the executive
 126 office of economic development through a contract with the Massachusetts Development
 127 Finance Agency established in section 2 of chapter 23G of the General Laws; provided further,
 128 that the executive office or the Massachusetts Development Finance Agency may establish
 129 additional program requirements through regulations or policy guidelines; provided further, that
 130 funding shall be awarded on a competitive basis in accordance with such program requirements;
 131 provided further, that financial assistance offered pursuant to this item shall be awarded, to the
 132 extent feasible, in a manner that reflects geographic and demographic diversity and social, racial
 133 and economic equity within the commonwealth; and provided further, that program funds may
 134 be used for the reasonable costs of administering the program not to exceed 5 per cent of the total
 135 assistance made during the fiscal year.....\$40,000,000

136 7002-8066 For a capital grant program to be administered by the executive office of
 137 economic development, in consultation with the executive office for administration and finance,
 138 to provide grants to support large, transformational projects to drive economic growth; provided,
 139 that such program may be known as Mass Impact and provided further, that not less than
 140 \$2,500,000 shall be expended for the Museum of Science, Boston for the development of a
 141 multimodal riverwalk across the Charles river in order to create a missing pedestrian and cycling
 142 link, connect businesses, and support an inclusive tourism ecosystem.....\$252,500,000

143 7002-8068 For the rural development program established in section 66A of chapter
 144 23A of the General Laws.....\$100,000,000

145 7002-8069 For a capital grant program to be administered by the executive office of
146 economic development to provide grants or other financial assistance to private businesses that
147 are constructing or expanding commercial, industrial or manufacturing facilities in the
148 commonwealth which may include, but are not limited to: (i) the construction or expansion of
149 facilities in a manner that eliminates or minimizes the use of fossil-fuel heating and cooling
150 equipment or incorporates other decarbonization measures that would not otherwise be
151 incorporated into the facility design; (ii) the integration of design features that make a facility
152 more resilient to the impacts of climate change, where such design features would not otherwise
153 be economically feasible; or (iii) capital investments that support the creation of a significant
154 number of new jobs in the commonwealth; provided, that the secretary of economic development
155 shall promulgate program guidelines around the administration of the program, which may
156 include administering the program through a contract with the Massachusetts Development
157 Finance Agency or other appropriate quasi-governmental agency.....\$25,000,000

158 7002-8070 For a capital grant program to be administered by the Massachusetts
159 Technology Park Corporation established in chapter 40J of the General Laws, to support the
160 adoption and application of artificial intelligence capabilities to public policy problems and to
161 leverage emerging artificial intelligence technologies to advance the commonwealth’s lead in
162 technology sectors including, but not limited to, life sciences, healthcare and hospitals, financial
163 services, advanced manufacturing, robotics and education; provided, that grants shall support
164 capital expenses related to activities that leverage emerging artificial intelligence technologies to
165 advance the commonwealth’s lead in such technology sectors; provided further, that grants shall
166 be awarded and administered consistent with the strategic goals and priorities of the AI Strategic
167 Task Force established by Executive Order No. 628; and provided further, that funds shall be

168 used to support the incubation of artificial intelligence firms, advance the adoption of artificial
169 intelligence technologies and support artificial intelligence software and hardware technology
170 development and commercialization activities.....\$100,000,000

171 7002-8072 For a competitive program administered by the Massachusetts Technology
172 Park Corporation established in chapter 40J of the General Laws to provide grants or other
173 financial assistance for infrastructure support for industry-led consortia focused on advancing the
174 commonwealth’s global leadership and growing jobs in key emerging technology sectors
175 including, but not limited to, quantum information sciences and technology, bioindustrial
176 manufacturing and non-therapeutic biomanufacturing, which may include alternative proteins,
177 which are proteins created from plant-based, fermented or cell-cultured inputs and processes to
178 create foods that share sensory characteristics that are consistent with conventional meat and
179 dairy; provided, that grants shall support the development, demonstration, deployment and
180 commercialization of technology in said key emerging technology sectors; and provided further,
181 that funds shall be expended for infrastructure that supports training, company incubation and
182 acceleration, technology testing and evaluation and other commercial and economic
183 development needs.....\$75,000,000

184 7002-8074 For a competitive program administered by the Massachusetts Technology
185 Park Corporation established in chapter 40J of the General Laws to provide grants or other
186 financial assistance to support research and development of robotics technology, including but
187 not limited to, robotics incubation, testing, training, workforce development, research and
188 development and commercialization activities; provided, that grants may be made to non-profits,
189 public or private universities or private business entities.....\$25,000,000

190 SECTION 2A.

191 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

192 *Office of the Secretary*

193 0640-0308 For the Massachusetts Cultural Facilities Fund established in section 42
194 of chapter 23G of the General Laws for the acquisition, design, construction, repair, renovation,
195 rehabilitation or other capital improvement or deferred maintenance to a cultural
196 facility.....\$50,000,000

197 1100-2520 For grants or other financial assistance to cities, towns, regional
198 organizations whose membership is exclusively composed of municipal governments, municipal
199 redevelopment authorities or agencies or quasi-governmental agencies to support economic
200 development in the commonwealth, including efforts that support workforce development,
201 higher education, tourism and arts and culture; provided, that purposes may include, but shall not
202 be limited to, planning and studies, preparation of plans and specifications, site assembly and
203 preparation, dispositions, acquisitions, repairs, renovations, improvements, construction,
204 demolition, remediation, modernization and reconstruction of facilities, infrastructure, equipment
205 and other capital assets, technical assistance and information technology equipment and
206 infrastructure.....\$100,000,000

207 1100-2521 For the Massachusetts Educational Financing Agency established in
208 section 4 of chapter 15C of the General Laws to assist students, their parents and others
209 responsible for paying the costs of education as well as assisting institutions of higher education
210 in supporting access to affordable higher education opportunities.....\$85,000,000

211 1599-1016 For local economic development projects; provided, that not less than
212 \$100,000 shall be expended to the Tantasqua regional school district for a district wide electric
213 vehicle charger installation project; provided further, that not less than \$5,000,000 shall be
214 expended for Gloucester city hall; provided further, that not less than \$1,000,000 shall be
215 expended for the University of Massachusetts Amherst marine station in Gloucester for a study
216 and implementation plan for the development of the blue economy on the north shore and an
217 ocean cluster on Cape Ann; provided further, that not less than \$10,000,000 shall be expended
218 for the town of Manchester-by-the-Sea to modernize, upgrade and expand electrical power
219 transmission and distribution infrastructure for the purpose of hosting the expansion of the Cell
220 Signaling Technology campus; provided further, that not less than \$75,000 shall be expended to
221 the town of Shrewsbury for an economic development strategy to promote business development
222 along route 20; provided further, that not less than \$25,000 shall be expended for the façade
223 grant program in the town of Shrewsbury for improvements to commercial buildings of small
224 businesses; provided further, that not less than \$150,000 shall be expended for multimodal
225 transportation enhancements and the construction of urban park enhancements in Shrewsbury’s
226 town center business district; provided further, that not less than \$1,575,000 shall be expended
227 for economic development through improved infrastructure and roadways for the Otis street
228 project in the town of Westborough; provided further, that not less than \$1,000,000 shall be
229 expended for the Taunton municipal lighting plant for the expansion of broadband services to
230 commercial enterprises and residents; provided further, that not less than \$10,000,000 shall be
231 expended for a grant program funding capital projects at rest homes; provided further, that not
232 less than \$2,000,000 shall be expended for the McKinney playground in the Brighton
233 neighborhood of the city of Boston for the implementation of the master plan including ball field

234 renovations and pathway improvements; provided further, that not less than \$2,500,000 shall be
235 expended for the rehabilitation of the former Malden district courthouse for the purpose of
236 creating a new arts and culture space; provided further, that not less than \$100,000 shall be
237 expended for the North Quabbin chamber of commerce; provided further, that not less than
238 \$500,000 shall be expended for the Franklin Regional Council of Governments; provided further,
239 that not less than \$200,000 shall be expended for Economic Development and Industrial
240 Corporation in the town of Orange; provided further, that not less than \$500,000 shall be
241 expended for the Holyoke department of public works to develop a strategic plan to maximize
242 revenue and to enhance Holyoke's economic activity and initiatives; provided further, that not
243 less than \$2,000,000 shall be expended to the Adams Presidential Center in the city of Quincy;
244 provided further, that not less than \$100,000 shall be expended for the town of Wayland for their
245 route 20 master plan and future town-wide master and strategic plans; provided further, that not
246 less than \$100,000 shall be expended to fund an economic development coordinator for
247 Wayland; provided further, that not less \$100,000 shall be expended for the implementation of
248 the MBTA Communities Act in Wayland; provided further, that not less than \$4,000,000 shall be
249 expended for the Holyoke community health center for planning, renovations, improvements,
250 construction, the modernization of facilities, infrastructure, equipment and other capital needs for
251 the workforce education and training center for the Pioneer Valley; provided further, that not less
252 than \$500,000 shall be expended for the town of Wakefield for critical upgrades to the Albion
253 Cultural Exchange to allow for an elevator and accessibility to the second floor for micro work
254 spaces; provided further, that not less than \$1,000,000 shall be expended shall be expended for
255 the Cape Verdean Association of Boston for the acquisition of their building to continue
256 providing youth employment and violence prevention services; provided further, that not less

257 than \$100,000 shall be expended for wayfinding signage improvements and streetscape
258 enhancements in the historic downtown and central business district of Methuen; provided
259 further, that not less than \$20,000 shall be expended for the town of Natick to study the
260 feasibility of shared-use path along the half-mile stretch of northeast Natick between Weston and
261 Wayland; provided further, that not less than \$100,000 shall be expended for electrical and
262 internet utility service improvements at east Natick industrial park; provided further, that not less
263 than \$250,000 shall be expended for improvements to the energy management system at the
264 Nevins Memorial library; provided further, that not less than \$250,000 shall be expended to
265 support the sustainable re-use of the historic Edward F. Searles estate; provided further, that not
266 less than \$500,000 shall be expended for the design of the redevelopment of Middlesex avenue
267 parking structure in Natick; provided further, that not less than \$500,000 shall be expended for
268 pedestrian, bike lanes, and traffic safety improvements in Natick; provided further, that not less
269 than \$200,000 shall be expended for the town of Somerset to support Peddles and Parks program
270 for revitalization of parks and bicycle lanes; provided further, that not less than \$2,000,000 shall
271 be expended for the preparation of building a sports complex in western Massachusetts housing
272 the International Volleyball Hall of Fame; provided further, that not less than \$500,000 shall be
273 expended for the repurposing of the former police station on Russells Mills road in Dartmouth
274 into a business incubator space for graduates of Greater New Bedford Regional Vocational high
275 school, under 30 years of age, who did not attend a higher education institution and are starting a
276 business; provided further, that not less than \$150,000 shall be expended for New England
277 Culinary Arts training for a financial assistance pilot program for students; provided further, that
278 not less than \$500,000 shall be expended for Science Club For Girls in the city of Cambridge to
279 support educational programs in science, technology, engineering and mathematics for girls and

280 gender-expressive youth; provided further, that not less than \$5,000,000 shall be expended to the
281 New England Historic Genealogical Society for improvements to areas that house and preserve
282 historical artifacts and records of the commonwealth; provided further, that not less than
283 \$6,000,000 shall be expended for the restoration of a historic façade at the Alexandria hotel in
284 the city of Boston; provided further, that not less than \$30,000 shall be expended for the
285 construction of a fence around Depot Square park in Ayer; provided further, that not less than
286 \$1,750,000 shall be expended for necessary renovation and expansion of the Greater New
287 Bedford community health center; provided further, that not less than \$500,000 shall be
288 expended for the New Bedford community economic development center for the capitol theater
289 on Acushnet avenue; provided further, that not less than \$150,000 shall be expended to the town
290 of Oakham for building upgrades and general improvements, including the construction of a new
291 town hall; provided further, that not less than \$1,000,000 shall be expended for Cournotes hall at
292 American International College for capital improvements and repairs necessary due to lightning
293 strike in July 2023; provided further, that not less than \$150,000 shall be expended for the
294 construction of a new fire station in the town of Barre; provided further, that not less than
295 \$2,500,000 shall be expended for capital costs related to the construction of the Louis D. Brown
296 Peace Institute's Center for Healing, Teaching and Learning for families and communities
297 throughout the commonwealth impacted by murder, trauma, grief and loss; provided further, that
298 not less than \$10,000,000 shall be expended for the design and construction of a new North End
299 community center in the North End neighborhood of the city of Boston; provided further, that
300 not less than \$20,000,000 shall be expended for the route 128 exit 19 interchange improvement
301 project (phase II) in Beverly currently identified as Mass Highway project file no. 607727;
302 provided further, that not less than \$150,000 shall be expended to the town of Hubbardston for

303 the construction of a new fire station; provided further, that not less than \$150,000 shall be
304 expended for the construction of a new police station in the town of Hardwick; provided further,
305 that not less than \$250,000 shall be expended for the purpose of promoting economic
306 development and making improvements in Grafton; provided further, that not less than
307 \$1,000,000 shall be expended for the Children's Services of Roxbury to renovate and transform
308 2 underutilized buildings in the heart of Boston's Black community; provided further, that not
309 less than \$500,000 shall be expended for FORGE to sustain and expand a state-wide program
310 which promotes manufacturing and innovation, including climate tech, through the support of
311 hardtech startup manufacturing readiness and local supply chains; provided further, that not less
312 than \$250,000 shall be expended for economic development promotion in the town of Upton;
313 provided further, that not less than \$100,000 shall be expended for electronic signage in
314 Lancaster; provided further, that not less than \$250,000 shall be expended for Higher
315 Expectation sports complex in Springfield; provided further, that not less than \$1,000,000 shall
316 be expended for renovations from the Gough House in the town of Boylston; provided further,
317 that not less than \$200,000 shall be expended for septic systems on town-owned land in Post
318 Office square in the town of Sharon; provided further, that not less than \$1,000,000 shall be
319 expended for the renovation of the train depot in the town of Stoughton; provided further, that
320 not less than \$250,000 shall be expended for the construction of a new fire station in
321 Southbridge; provided further, that not less than \$50,000 shall be expended for Hebron Food
322 Pantry for the costs associated with the purchase and compliance of the building located at 40
323 Emory street in Attleboro; provided further, that not less than \$250,000 shall be expended for
324 promoting economic development and making improvements in the town of Northbridge;
325 provided further, that not less than \$1,000,000 shall be expended for capital expenditures in the

326 town of Lexington for events related to the 250th anniversary celebration; provided further, that
327 not less than \$250,000 shall be expended for African Diaspora Mental Health Association LLC
328 in Springfield; provided further, that not less than \$250,000 shall be expended for Stevens Mill
329 LLC for the renovation of Stevens Linen mill for market rate, senior and affordable housing units
330 along with the buildout of new business space in the town of Dudley; provided further, that not
331 less than \$2,000,000 shall be expended for the project of dredging the Ten Mile river; provided
332 further, that not less than \$500,000 shall be expended for improvements at Sholan Farms in
333 Leominster; provided further, that not less than \$500,000 shall be expended for Main Street
334 Indian Orchard downtown revitalization in the city of Springfield; provided further, that not less
335 than \$500,000 shall be expended for the development of athletic fields behind the Leominster
336 high school in the city of Leominster; provided further, that not less than \$100,000 shall be
337 expended for a route 20 master plan; provided further, that not less than \$5,000,000 shall be
338 expended for the Chinatown branch library in the city of Boston; provided further, that not less
339 than \$100,000 shall be expended for recruitment and funding of an economic development
340 coordinator position for the town of Sudbury; provided further, that not less than \$3,500,000
341 shall be expended for the Westmass Area Development Corporation to support the
342 redevelopment and expansion of properties and expenses associated with carbon neutral
343 developments to support the residents and businesses of Ludlow Mills; provided further, that not
344 less than \$500,000 shall be expended for Sturdy Health for the completion and interconnection
345 of a combined heat and power plant aimed at minimizing the use of fossil-fuel heating and
346 cooling at their Attleboro facility; provided further, that not less than \$50,000 shall be expended
347 for the Corporation for Public Management for the development of a downtown initiative in
348 Chicopee; provided further, that not less than \$500,000 shall be expended for WPC pump station

349 and combined sewer overflow facility improvements in the city of Chicopee; provided further,
350 that not less than \$35,000 shall be expended for the implementation of Locally Grown Sudbury,
351 including Sudbury grown fairs, a climate resilient food security engagement series, a farmers'
352 market feasibility plan and other initiatives for the town of Sudbury; provided further, that not
353 less than \$500,000 shall be expended to the city of Leominster for the stabilization of the North
354 Nashua river; provided further, that not less than \$250,000 shall be expended for the
355 development and expansion of water infrastructure in Charlton to encourage business
356 development and mitigate PFAS; provided further, that not less than \$2,500,000 shall be
357 expended for capital upgrades to the Lynn Community Health Center; provided further, that not
358 less than \$250,000 shall be expended for Black history in Action in the city of Cambridge for the
359 design and construction of the Center for Black Exuberance to foster collective liberation
360 practices through the arts, education and public history; provided further, that not less than
361 \$5,000,000 shall be expended for capital improvements to the Boston Shipyard and Marina;
362 provided further, that not less than \$250,000 shall be expended for Springfield Hope Community
363 Development Corporation community outreach; provided further, that not less than \$1,000,000
364 shall be expended for new sidewalks, pedestrian safety, traffic calming and capital improvements
365 for the town of Hamilton's core business district; provided further, that not less than \$250,000
366 shall be expended for the Acorn Street Boys and Girls Club; provided further, that not less than
367 \$250,000 shall be expended for the Spring of Hope body and soul program; provided further,
368 that not less than \$1,500,000 shall be expended for capital improvements to the Museum of
369 African American History; provided further, that not less than \$150,000 shall be expended to the
370 town of Georgetown for the Georgetown Youth Community Center to help youth and at-risk
371 youth develop networking and job skills; provided further, that not less than \$2,500,000 shall be

372 expended for the expansion and renovation of the Huntington theatre; provided further, that not
373 less than \$300,000 shall be expended to the city of Medford for revitalizing Medford Square's
374 waterfront area for community use and recreational purposes; provided further, that not less than
375 \$2,500,000 shall be expended to the city of Boston for the construction planning, capital projects
376 and deferred maintenance by Revolutionary Spaces at the Old State House and Old South
377 Meeting House; provided further, that not less than \$250,000 shall be expended to Parent
378 Villages Youth Outreach Center; provided further, that not less than \$300,000 shall be expended
379 to Riverside Place in Medford for the installation of seating and outdoor coverage for residents;
380 provided further, that not less than \$250,000 shall be expended to Springfield Neighborhood
381 Housing Services, Inc.; provided further, that not less than \$150,000 shall be expended to the
382 town of Topsfield for public safety and access improvements to enhance connectivity in and
383 around the downtown area; provided further, that not less than \$150,000 shall be expended to the
384 town of Ipswich for the weatherization and efficiency upgrades to the historic Hart-Haskell
385 House and its surrounding historic district; provided further, that not less than \$2,000,000 shall
386 be expended for the expansion of the Berkshire Innovation Center at the William Stanley
387 Business Park in the city of Pittsfield; provided further, that not less than \$5,000,000 shall be
388 expended to the Harvard Street Neighborhood Health Center for the purpose of planning and
389 developing affordable housing units at 632 Blue Hill avenue and 616 Blue Hill avenue in
390 Boston; provided further, that not less than \$1,500,000 shall be expended to the city of Fitchburg
391 to assist with the redevelopment, renovation and site improvement of underutilized properties to
392 provide additional housing capacity; provided further, that not less than \$1,000,000 shall be
393 expended for the Lowell Community Health Center for the development and operation of the
394 Family Medicine Residency Program; provided further, that not less than \$250,000 shall be

395 expended to the town of Mansfield for the designing, planning and improving development in
396 the parkway from North Main street and Chauncy street; provided further, that not less than
397 \$150,000 shall be expended to the town of Newbury for the construction of a new, ADA-
398 compliant playground at the Central Street Athletic Fields; provided further, that not less than
399 \$100,000 shall be expended to the city of Lawrence for the rehabilitation of the handball court
400 located at the corner of Oxford street and Lowell street; provided further, that not less than
401 \$10,000,000 shall be expended to UTEC, Inc. for establishing a new social enterprise facility to
402 provide employment training and best reduce recidivism for individuals in the Merrimack valley
403 area; provided further, that not less than \$5,000,000 shall be expended to Sueños Basketball for
404 the construction or procurement of a new youth athletic facility center in Lawrence; provided
405 further, that not less than \$500,000 shall be expended to the Fitchburg Public library to develop a
406 learning lab for resume workshops and job training programming; provided further, that not less
407 than \$2,500,000 shall be expended to the city of Boston for the design and construction of the
408 BCYF Dorchester Community Center; provided further, that not less than \$150,000 shall be
409 expended to the town of Southampton for the construction of a new safety complex; provided
410 further, that not less than \$35,000 shall be expended for the Godfrey Triangle WWII memorial
411 restoration in Springfield; provided further, that not less than \$5,000,000 shall be expended to
412 the city of Boston for the design and renovation of Madison Park Technical Vocational high
413 school; provided further, that not less than \$1,000,000 shall be expended for repairs to public
414 parking garages to revitalize Malden center; provided further, that not less than \$1,000,000 shall
415 be expended for revitalization of the pleasant street business district in Malden; provided further,
416 that not less than \$300,000 shall be expended to Chelsea Black Community to support the
417 infrastructure needed for in-house workforce development initiatives; provided further, that not

418 less than \$500,000 be expended to La Colaborativa to support expanded access to green jobs and
419 workforce development programs to residents with limited work readiness skills or English
420 fluency; provided further, that not less than \$350,000 shall be expended to Governor
421 Bellingham-Cary House Association for needed renovations of the Governor Bellingham-Cary
422 House; provided further, that not less than \$800,000 shall be expended for the reconstruction,
423 improvements and to upgrade access to the boat ramp, parking lot and shore fishing facility at
424 Laurel lake in the town of Lee; provided further, that not less than \$150,000 shall be expended to
425 the town of Somerset for the façade grant program to assist small businesses in improving their
426 commercial building façades and other exterior features; provided further, that not less than
427 \$2,500,000 shall be expended to the Boston Symphony Orchestra for security upgrades at
428 Tanglewood in the Berkshires; provided further, that not less than \$250,000 shall be expended
429 for the development of a micro-regional transit program in southern Berkshire county; provided
430 further, that not less than \$500,000 shall be expended for the city of Worcester to establish a
431 storefront façade improvement program; provided further, that not less than \$500,000 shall be
432 expended for the town of Leicester to redevelop and re-use town-managed property for the
433 development of an entrepreneurship center and commercial kitchen; provided further, that not
434 less than \$1,000,000 shall be expended to Berkshire Film and Media Collaborative for the
435 completion of the International Education center in Berkshire county; provided further, that not
436 less than \$500,000 shall be expended for the emergency replacement of the Brookside Road
437 bridge in the town of Great Barrington; provided further, that not less than \$2,500,000 shall be
438 expended for the acquisition of 167-171 Main street in the city of Marlborough for the design,
439 construction and further economic development efforts of the Marlborough village district;
440 provided further, that not less than \$500,000 shall be expended for the town of Leicester to

441 partner with MassBio to establish a veterinary training and research program; provided further,
442 that not less than \$300,000 shall be expended for fire and EMS services in the town of Norfolk;
443 provided further, that not less than \$250,000 shall be expended to the town of Tewksbury to
444 assist in redesigning route 38 in Tewksbury from Colonial drive to Shawsheen street; provided
445 further, that not less than \$250,000 shall be expended for the redesign of route 38 in Tewksbury;
446 provided further, that not less than \$250,000 shall be expended to the town of Wilmington to
447 assist in redesigning route 38 in Wilmington from Burlington avenue to Richmond street;
448 provided further, that not less than \$2,000,000 shall be expended to the city of Boston for the
449 redesign and construction of Blue Hill avenue; provided further, that not less than \$1,000,000
450 shall be expended to the town of Tewksbury for restoration, clearing and renovation of, or
451 development of the Trahan Elementary school and/or North Street Elementary school properties;
452 provided further, that not less than \$20,000 shall be expended to the town of Norwell for the
453 purpose of promoting an economic growth plan and making improvements within the town;
454 provided further, that not less than \$500,000 shall be expended to the town of Tewksbury for the
455 construction or renovation of sidewalks on North street; provided further, that not less than
456 \$1,000,000 shall be expended for the North End Waterfront Neighborhood Health Center;
457 provided further, that not less than \$300,000 shall be expended to the town of Southborough for
458 economic development projects, including wayfinding signage; provided further, that not less
459 than \$300,000 shall be expended to the town of Northborough for economic development
460 projects, including wayfinding signage and signage and façade improvements to the downtown
461 area in the town of Northborough; provided further, that not less than \$400,000 shall be
462 expended to the town of Westborough for economic development projects, including the creation
463 of an electric vehicle station plan, costs associated with rotary redesign, sidewalk improvements,

464 and municipal parking improvements, and other projects in the town of Westborough; provided
465 further, that not less than \$500,000 shall be expended to Habitat for Humanity Greater Boston,
466 Inc. for infrastructure, renovation and development costs at 104-108 Walter street in the
467 Roslindale neighborhood of the city of Boston; provided further, that not less than \$2,000,000
468 shall be expended to the city of Boston for the design and renovation of Billings field in the West
469 Roxbury neighborhood of the city of Boston; provided further, that not less than \$45,000 shall be
470 expended for the town of Boxborough for the replacement of the culvert at Guggins Brook
471 beneath Liberty Square road; provided further, that not less than \$50,000 shall be expended to
472 the Economic Development Council of Western Massachusetts, Inc. to assist displaced
473 businesses in Springfield; provided further, that not less than \$1,000,000 shall be expended to
474 assist the city of Worcester in its 10-year cultural plan to promote diversity, equity and inclusion
475 programming; provided further, that not less than \$250,000 shall be expended to Old Hill
476 Community Center; provided further, that not less than \$100,000 shall be expended for the
477 Dismas House in Worcester; provided further, that not less than \$200,000 shall be expended for
478 the Salem YMCA childcare program outdoor recreational center; provided further, that not less
479 than \$500,000 shall be expended for the 2-year pilot program to expand the service of the Salem
480 skipper into Beverly and Danvers; provided further, that not less than \$1,000,000 shall be
481 expended for the South Salem commuter rail stop to support the final design phase work;
482 provided further, that not less than \$1,500,000 shall be expended to CitySpace Easthampton for
483 the renovation of Old Town Hall; provided further, that not less than \$650,000 shall be expended
484 to Helfrich Brothers Inc. for the investment of advanced machinery specifically designed for the
485 manufacturing of GreenTech products; provided further, that not less than \$750,000 shall be
486 expended to the office of transportation planning to conduct a land use and transportation study

487 of the I-495 corridor and MetroWest region of the commonwealth as recommended by the 2018
488 495/MetroWest Suburban Edge Community commission, including: (i) the current conditions of
489 regional transportation in the region; (ii) establishing the future regional transportation, housing
490 and economic development priorities; (iii) making recommendations to improve the region's
491 residents' and workers' mobility; and (iv) connecting the region's major transit routes; provided
492 further, that not less than \$1,000,000 shall be expended to the YMCA of the North Shore, Inc.
493 for the Haverhill YMCA development projects; provided further, that not less than \$1,000,000
494 shall be expended to the city of Haverhill for the repair and renovation of the Haverhill stadium
495 and other park and recreation projects; provided further, that not less than \$10,000,000 shall be
496 expended to the Haverhill public library for necessary improvements to infrastructure and
497 accessibility; provided further, that not less than \$300,000 shall be expended to the Springfield
498 Symphony Orchestra, Inc. to develop and grow the Springfield Symphony Youth Orchestra and
499 educational programming initiative, for the development of new employment opportunities
500 including paid student internships, for scholarship dollars for educational concerts and to create
501 programming in western Massachusetts; provided further, that not less than \$2,000,000 shall be
502 expended for the Boys & Girls Club of Greater Lowell, Inc. for the repair and renovation of the
503 club's property at Middlesex street in the city of Lowell to allow for the expansion and creation
504 of programs to provide workforce development training, aid in closing the academic
505 achievement gap and for the creation of permanent new jobs in Lowell; provided further, that not
506 less than \$1,000,000 shall be expended to convert the former McKinley school in Revere into a
507 food hub; provided further, that not less than \$10,000,000 shall be expended for Suffolk Downs
508 to support mixed use development for the project in Boston and Revere; provided further, that
509 not less than \$280,000 shall be expended for the city of Revere to conduct a master planning

510 exercise for the Squire road corridor; provided further, that not less than \$50,000,000 shall be
511 expended for Nubian square for a life sciences training development on the “Blair Site” in the
512 Dudley Square economic development area in the city of Boston; provided further, that not less
513 than \$1,000,000 shall be expended to address business improvements and vacancy in West
514 Medford square in the city of Medford; provided further, that not less than \$1,000,000 shall be
515 expended for improvements to business districts, sidewalks and bridge repairs in the town of
516 Arlington; provided further, that not less than \$1,000,000 shall be expended to address business
517 improvements and vacancy in the town of Arlington; provided further, that not less than
518 \$4,700,000 shall be expended for capital repairs, ADA enhancements and a feasibility study for
519 water line replacement on Georges Island; provided further, that not less than \$2,000,000 shall
520 be expended to the city of Quincy for dredging the channel in Quincy Bay and beach restoration
521 in the Merrymount neighborhood; provided further, that not less than \$500,000 shall be
522 expended for Pawtucket Farm Wildlife Sanctuary to protect the last farm in Lowell for urban
523 agriculture, community gardens, youth career development and to build an urban environmental
524 education center; provided further, that not less than \$500,000 shall be expended for the Planned
525 Parenthood League of Massachusetts, Inc. for infrastructure projects, including but not limited
526 to, renovations, facility upgrades and the expansion of health service areas, to enhance healthcare
527 delivery and support community health needs; provided further, that not less than \$1,000,000
528 shall be expended for the city of Boston to develop a design of a comprehensive park renovation
529 of Clifford park; provided further, that not less than \$75,000 shall be expended to the Brookline
530 Community Foundation, Inc. for community theater and diverse cultural programming; provided
531 further, that not less than \$5,000,000 shall be expended for the New Bedford Whaling Museum’s
532 welcome and exhibition center; provided further, that not less than \$750,000 shall be expended

533 for capital funding to find a new accessible home for Vinfen’s Gateway Arts program, which
534 provides working artists with disabilities a vocational and employment opportunity fostering
535 independence in the community; provided further, that not less than \$3,000,000 shall be
536 expended for YMCA Southcoast for infrastructure upgrades; provided further, that not less than
537 \$1,000,000 shall be expended for construction of a boat renovation, storage and educational
538 workshop space at the Azorean Maritime Heritage Society in New Bedford; provided further,
539 that not less than \$2,000,000 shall be expended for the Eastern States Exposition in West
540 Springfield for improvements to the Better Living Center to increase economic activity and
541 tourism in western Massachusetts; provided further, that not less than \$500,000 shall be
542 expended for the town of Scituate for the design and construction of North Scituate sewer;
543 provided further, that not less than \$500,000 shall be expended for costs associated with the
544 purchase of information technology, medical equipment and interior building construction and
545 licensing for a community health center in the city of Springfield; provided further, that not less
546 than \$500,000 shall be expended for improvements to downtown Plympton in an effort to
547 increase economic activity; provided further, that not less than \$800,000 shall be expended for
548 improvements at the intersection of Great Pond road and Osgood street (route 125), and the
549 nearby vicinity, in the town of North Andover; provided further, that not less than \$3,000,000
550 shall be expended for Worcester Polytechnic Institute to establish an Innovation Hub for
551 Recovery and Regeneration to serve as a focal point in research, workforce development,
552 corporate-university partnerships and entrepreneurial growth in the region; provided further, that
553 not less than \$10,000,000 shall be expended for the Massachusetts Port Authority for the
554 planning and rehabilitation of the North Jetty, located in the South Boston waterfront, to support
555 the offshore wind industry and to import special project and break-bulk cargoes; provided

556 further, that not less than \$500,000 shall be expended for the town of Kingston for roadway
557 safety improvements; provided further, that not less than \$250,000 shall be expended for the
558 purpose of identifying a proper site, management model and establishing an Upper Cape Blue
559 Economy/Business Accelerator as identified in the Cape Cod Blue Economy Project: A Call to
560 Action report; provided further, that not less than \$10,000,000 shall be expended for the
561 reconstruction and rehabilitation of the South Jetty in the Raymond L. Flynn Marine Park in the
562 South Boston section of the city of Boston; provided further, that not less than \$250,000 shall be
563 expended to the town of Halifax to assist with the implementation of the MBTA Communities
564 Act provisions; provided further, that not less than \$800,000 shall be expended for Westfield
565 State University to build a new mental health hub to address workforce shortages in behavioral
566 health, nursing and healthcare in western Massachusetts; provided further, that not less than
567 \$50,000 shall be expended for the Allston-Brighton Community Development Corporation to
568 renovate the Hill House in Boston; provided further, that not less than \$100,000 shall be
569 expended for improvements to the South Shore Irish heritage trail in Scituate; provided further,
570 that not less than \$1,000,000 shall be expended for the historic Iron Horse Music Hall in the city
571 of Northampton; provided further, that not less than \$250,000 shall be expended for the Center
572 After School program in Springfield; provided further, that not less than \$5,000,000 shall be
573 expended for the Boston Children’s Museum for planning, repairs, renovations, improvements,
574 construction and the modernization of facilities, infrastructure, equipment and other capital
575 needs; provided further, that not less than \$100,000 shall be expended for the town of Scituate
576 for maintenance and improvements to the Scituate Visitor Center; provided further, that not less
577 than \$4,300,000 shall be expended for marina and pier enhancements on Spectacle Island;
578 provided further, that not less than \$1,000,000 shall be expended for the city of Boston for the

579 design of connection walking paths to Moakley park in South Boston; provided further, that not
580 less than \$500,000 shall be expended for the Zeiterion Performing Arts Center, Inc., for re-
581 opening planning and support; provided further, that not less than \$2,000,000 shall be expended
582 for the study, design and construction of a new school building for the Shaw-Taylor school in
583 Boston; provided further, that not less than \$2,000,000 shall be expended for the city of
584 Worcester to support the historic preservation and adaptive reuse of the Worcester Memorial
585 Auditorium; provided further, that not less than \$150,000 shall be expended for the Plymouth
586 Regional Economic Foundation, Inc. to study how to meet the needs of resident entrepreneurs
587 and manufacturers; provided further, that not less than \$150,000 shall be expended for Plymouth
588 to conduct site assessments and determine suitable locations for commercial redevelopment;
589 provided further, that not less than \$150,000 shall be expended for Plymouth to hire a consultant
590 to assist with the Plymouth Regional Convention Center implementation strategy, including site
591 selection, pre-design work, determining market performance, build program, job creation
592 projections, incentives package and infrastructure improvement; provided further, that not less
593 than \$150,000 shall be expended for the town of Plymouth for improvements to the Herring pond
594 and State road intersection to support commercial growth in Cedarville; provided further, that not
595 less than \$500,000 shall be expended for renovations and restoration of the Soldiers and Sailors
596 Memorial Building in Melrose; provided further, that not less than \$522,000 shall be expended
597 for capital repairs and ADA enhancements to Peddocks Island Pier; provided further, that not
598 less than \$100,000 shall be expended to the town of Clinton for waste removal at the WHEAT
599 Community Services site; provided further, that not less than \$250,000 shall be expended to the
600 town of Oxford to facilitate the expansion of sewer services through inter-municipal sewer
601 agreements; provided further, that not less than \$100,000 shall be expended to the town of

602 Clinton for furnishings, equipment and materials in support of beautification and placemaking
603 activities in downtown Clinton; provided further, that not less than \$250,000 shall be expended
604 for storefront improvements of the Centralville section in the city of Lowell; provided further,
605 that not less than \$2,000,000 shall be expended to the town of Canton for the purposes of
606 redeveloping the former St. Gerard Church property on Washington street in the town of Canton;
607 provided further, that not less than \$500,000 shall be expended for the museum at the Revere
608 Heritage Site in the town of Canton; provided further, that not less than \$500,000 shall be
609 expended for improvements to the industrial park in the town of Avon; provided further, that not
610 less than \$250,000 shall be expended for the town of Douglas to conduct an updated Master
611 Plan; provided further, that not less than \$500,000 shall be expended for roadway and sidewalk
612 improvements for Billerica Center and Boston Road in the town of Billerica; provided further,
613 that not less than \$200,000 shall be expended to the city of Westfield for the South Maple &
614 Pleasant street economic development projects; provided further, that not less than \$500,000
615 shall be expended to Northern Essex Community College to create pathways for high school
616 students to pursue LPN certification alongside their high school diploma; provided further, that
617 not less than \$1,000,000 shall be expended to the city of Boston for the renovation of Daisy Field
618 at Olmsted Park; provided further, that not less than \$100,000 shall be expended to the
619 Springfield Museums for renovations needed for the childhood home and garage of Dr. Seuss;
620 provided further, that not less than \$100,000 shall be expended to the town of Marshfield for 4
621 solar panel pedestrian lights; provided further, that not less than \$50,000 shall be expended to the
622 city of Lowell for a feasibility study and schematic design in conjunction with the Merrimack
623 Valley Rowing Association for the development of a boathouse and restaurant on property
624 located along the Merrimack River; provided further, that not less than \$500,000 shall be

625 expended for the design and construction of the Sword street culvert replacement project in the
626 town of Auburn; provided further, that not less than \$200,000 shall be expended to the town of
627 Oxford for economic development of the downtown area; provided further, that not less than
628 \$500,000 shall be expended to the city of Melrose for renovations to public safety buildings
629 within the city; provided further, that not less than \$1,000,000 shall be expended to the town of
630 Bedford for public infrastructure related to the proposed fire station at 139 Great road in
631 Bedford; provided further, that not less than \$75,000 shall be expended to the Trustees of the
632 Reservation for renovations at the William Cullen Bryant homestead property in Cummington;
633 provided further, that not less than \$1,500,000 shall be expended on the New Garden Park, Inc
634 infrastructure improvements for the Greendale Project in the city of Worcester; provided further,
635 that not less than \$250,000 shall be expended for the Middlesex 3 Coalition to improve economic
636 development programs in the Middlesex 3 region along U.S. Route 3 from Burlington to the
637 New Hampshire border; provided further, that not less than \$1,000,000 shall be expended for the
638 Create 508 Youth Creatives and Entrepreneurs program in the city of Worcester; provided
639 further, that not less than \$125,000 shall be expended for efforts to implement a wayfinding
640 signage plan in Hingham Harbor and to highlight assets to growing businesses, regional
641 shoppers, and travelers; provided further, that not less than \$500,000 shall be expended to D.W
642 Field Park for roadway and safety improvements in the city of Brockton; provided further, that
643 not less than \$1,000,000 shall be expended to the city of Lawrence for small business loans,
644 startup incubators and grants for local businesses to expand operations and create jobs; provided
645 further, that not less than \$250,000 shall be expended for the restoration of the Damon Tavern in
646 the town of North Reading; provided further, that not less than \$250,000 shall be expended for
647 Lowell Youth Leadership Program Inc. in the city of Lowell; provided further, that not less than

648 \$5,000,000 shall be expended to expand the life sciences apprenticeship program administered
649 by the Massachusetts Biotechnology Educational Foundation; provided further, that not less than
650 \$250,000 shall be expended to the town of Walpole in order to reopen the East Walpole Fire
651 Station; provided further, that not less than \$300,000 shall be expended to the Neponset River
652 Regional Chamber of Commerce; provided further, that not less than \$75,000 in matching grants
653 shall be expended for improvements to Newhall Park in the town of Lynnfield; provided further,
654 that not less than \$100,000 shall be expended to the Neponset River Regional Chamber of
655 Commerce to establish a business incubator accelerator space for regional business growth;
656 provided further, that not less than \$5,000,000 shall be expended for a pilot program for
657 supportive housing loans and rental assistance through the Massachusetts rental voucher program
658 to support the development by the Charles River Center of permanent independent housing for
659 individuals with autism or intellectual disabilities in an integrated housing development, through
660 partnerships with 1 or more non-profit organizations and including the provision of services to
661 such development; provided further, that not less than \$500,000 shall be expended to the city of
662 Brockton for the support of downtown revitalization efforts; provided further, that not less than
663 \$125,000 shall be expended to the town of Reading for the proper recognition of former resident,
664 civil rights leader, and Boston Celtic great Bill Russell; provided further, that not less than
665 \$1,000,000 shall be expended to the town of Belchertown for repairs, renovations, and
666 remediation of town owned buildings formerly of the Belchertown State School; provided
667 further, that not less than \$1,000,000 shall be expended to the city of Lawrence for training
668 programs, apprenticeships, and educational initiatives to enhance the skills of the workforce and
669 meet the needs of emerging industries; provided further, that not less than \$950,000 shall be
670 expended for the RecoveryWorks program at Massachusetts General Hospital; provided further,

671 that not less than \$200,000 in matching grants shall be expended for the construction of the new
672 municipal complex in the town of Middleton; provided further, that not less than \$1,000,000
673 shall be expended to the town of West Springfield for planning and acquiring land for the
674 development of a new police station; provided further, that not less than \$250,000 shall be
675 expended to the town of Oxford to construct a “Welcome & Interpretive Center” in conjunction
676 with expanded community wayfinding, branding and streetscape improvements; provided
677 further, that not less than \$150,000 shall be expended for the establishment of the Greylock Glen
678 Commission; provided further, that not less than \$325,000 shall be expended to Lever, Inc. to
679 support entrepreneurs in Berkshire county; provided further, that not less than \$500,000 shall be
680 expended for the Williamstown Meetinghouse Preservation Fund, Inc.; provided further, that not
681 less than \$250,000 shall be expended for the Adams Theater in the town of Adams; provided
682 further, that not less than \$325,000 shall be expended for renovations of the Mohawk Theater
683 located in North Adams; provided further, that not less than \$350,000 shall be expended for the
684 Massachusetts Museum of Contemporary Art; provided further, that not less than \$500,000 shall
685 be expended to the town of Burlington for a design study to advance Route 3A and Cambridge
686 street roadway improvements that support safe mobility options and unlock new housing and
687 mixed-use development in the Burlington Town Center; provided further, that not less than
688 \$1,000,000 shall be expended to the city known as the town of Amherst to make business district
689 sidewalks fully accessible to residential neighborhoods; provided further, that not less than
690 \$1,000,000 shall be expended for construction and other project costs of a new department of
691 public works facility in the town of Boxford; provided further, that not less than \$1,000,000 shall
692 be expended to the town of Granby to develop, renovate or construct the Granby municipal
693 building; provided further, that not less than \$50,000 shall be expended to the town of Wellesley

694 for the early development stages of an arts and cultural center; provided further, that not less than
695 \$500,000 shall be expended for capital improvements to Follow Your Art Community Studios in
696 the city of Melrose; provided further, that not less than \$200,000 shall be expended to the town
697 of Dighton for infrastructure upgrades to the Main street corridor zoned for business; provided
698 further, that not less than \$50,000 shall be expended for façade and storefront improvements of
699 the Vinal Square section of the town of Chelmsford; provided further, that not less than
700 \$5,000,000 shall be expended for rural wastewater and public water supplies; provided further,
701 that not less than \$1,000,000 shall be expended to the city known as the town of Amherst for the
702 installation of solar canopies on municipal parking lots; provided further, that not less than
703 \$500,000, shall be expended for ADA compliance/elevator construction for the redevelopment of
704 multi-story properties within business districts in the city of Lowell; provided further, that not
705 less than \$100,000 shall be expended to the town of West Newbury for the construction of a
706 crosswalk at the Page school/pipestave intersection; provided further, that not less than \$750,000
707 shall be expended to the Woburn Golf and Ski Authority for water delivery system
708 improvements, including irrigation; provided further, that not less than \$500,000 shall be
709 expended to the Shelburne Falls fire district for the bridge of flowers; provided further, that not
710 less than \$50,000 shall be expended for the Sports Museum of New England for archive
711 preservation support for exhibits, visitors and the commonwealth; provided further, that not less
712 than \$1,000,000 shall be expended to the town of Boxford for the repairs to the superstructure of
713 the Endicott road bridge; provided further, that not less than \$10,000,000 shall be expended to
714 support the critical care operations of New England Life Flight, Inc., d/b/a Boston MedFlight;
715 provided further, that not less than \$500,000 shall be expended for a commercial fisheries
716 workforce development training program in the Cape Cod region to build a career pipeline that

717 supports the commercial fishing industry; provided further, that not less than \$1,000,000 shall be
718 expended to the Naismith Basketball Hall of Fame in the city of Springfield to establish a new
719 major exhibit exploring the intersection of basketball and hip-hop music showcasing its diverse
720 impact on society; provided further, that not less than \$12,000,000 shall be expended for
721 construction, renovations and infrastructure improvements to support the imaging innovation
722 initiative for the marine biological laboratory located in Woods Hole in the town of Falmouth;
723 provided further, that not less than \$1,000,000 shall be expended for Greentown Labs in the city
724 of Somerville for operations and diverse entrepreneurship program, operational support, and for
725 graduates of the Accel accelerator program for BIPOC entrepreneurs to join the Greentown
726 incubator as member companies; provided further, that not less than \$2,000,000 shall be
727 expended to the Roxbury Main Streets to provide relief for license fees, rent relief and payroll
728 for micro businesses on blue hill avenue; provided further, that not less than \$300,000 shall be
729 expended to the town of Agawam for the Walnut street extension and the Ramah circle
730 redevelopment and redesign project; provided further, that not less than \$150,000 shall be
731 expended to the Cape Cod Chamber of Commerce and the Cape Cod Commission to support
732 deployment of electric vehicle charging stations at Cape Cod hotels and other accommodation
733 locations by analyzing industry and local trends, creating installation and grant guides,
734 conducting outreach and support activities, and developing a pilot incentive program to
735 complement existing state and utility programs; provided further, that not less than \$2,000,000
736 shall be expended for the Middleton Electric Light Department in the town of Middleton to
737 modernize, upgrade and expand electrical power transmission and distribution infrastructure for
738 the purpose of ensuring an adequate backup system for Middleton's municipal and public safety
739 facilities, electric vehicle infrastructure and utility scale solar/battery storage capacity during grid

740 outages; provided further, that not less than \$350,000 shall be expended to support New England
741 Public Media's facility by requesting infrastructure improvements and staffing that will serve to
742 create economic opportunities, promote job creation, increase industry innovation and support
743 community engagement; provided further, that not less than \$5,000,000 shall be expended to
744 support the replacement and upgrade of the energy and heating system at Beverly Hospital;
745 provided further, that not less than \$500,000 shall be expended to the town of Danvers for river
746 resiliency upgrades and expanding pedestrian access to Danversport waterfront and businesses;
747 provided further, that not less than \$50,000 shall be expended for the startup of the Framingham
748 Economic Development Committee established pursuant to chapter 283 of the acts of 2022;
749 provided further, that not less than \$1,000,000 shall be expended for the pedestrian bridge at
750 MacDonald Park in the city of Medford; provided further, that not less than \$150,000 shall be
751 expended for capital improvements in the town of Wenham to enhance and revitalize the
752 downtown corridor; provided further, that not less than \$500,000 shall be expended to the town
753 of North Reading for roadway improvements to Concord street in the town of North Reading;
754 provided further, that not less than \$1,000,000 shall be expended to expand and design the Route
755 110 widening project in the town of Westford; provided further, that not less than \$3,000,000
756 shall be expended for the redevelopment of the property located at 12 North Main street in the
757 town of Westford; provided further, that not less than \$200,000 shall be expended for equipment,
758 upgrades and other services for a wellness center for the police department of Westford;
759 provided further, that not less than \$250,000 shall be expended for improvements to the
760 Cogswell ArtSpace in Haverhill; provided further, that not less than \$1,000,000 shall be
761 expended to the city of Somerville to support adult education and English literacy at the
762 Somerville center for adult learning experience; provided further, that not less than \$1,000,000

763 shall be expended for renovation and restoration of the Harry Uhlman Bandstand in Marine Park
764 in the South Boston section of the city of Boston; provided further, that not less than \$5,000,000
765 shall be expended for businesses with not more than 10 employees or sole proprietorships and
766 annual net profits not exceeding \$250,000; provided further, that not less than \$1,000,000 shall
767 be expended to Develop Springfield Corporation to support the adaptive reuse for housing and
768 commercial development for the main/state street development project in downtown
769 Springfield; provided further, that not less than \$200,000 shall be expended for lighting and
770 security improvements to the north end bike path in the city of Springfield; provided further, that
771 not less than \$500,000 shall be expended for Boston Little Saigon, Inc. to establish and maintain
772 1975: A Vietnamese Diaspora Memorial in the section of Boston known as the Little Saigon
773 district; provided further, that said funds may be expended for commemorative events in 2025
774 related to the 50th anniversary of the end of the Vietnam war; provided further, that not less than
775 \$500,000 shall be expended to the town of Sterling for upgrades in downtown Sterling; provided
776 further, that not less than \$20,000,000 shall be expended for a grant to the Martin Richard
777 Foundation and Boys and Girls Clubs of Dorchester to support the construction and renovation
778 of the Dorchester fieldhouse in the Harbor Point neighborhood of Boston, a facility utilized for
779 advancing the social, intellectual or physical needs of children and youth; provided further, that
780 the grants may be matched from local and private sources; provided further, that not less than
781 \$1,000,000 shall be expended to the Leahy Holloran community center for infrastructure
782 upgrades and maintenance of the pool, locker room and restroom facilities; provided further, that
783 not less than \$500,000 shall be expended for Braintree economic development; provided further,
784 that not less than \$1,000,000 shall be expended for Fields Corner Main Streets to develop and
785 maintain a transit-oriented, vibrant and diverse business district; provided further, that not less

786 than \$150,000 shall be expended for economic development in the town of Belmont; provided
787 further, that not less than \$250,000 shall be expended for economic development in the town of
788 Holbrook; provided further, that not less than \$300,000 shall be expended for the Irish Pastoral
789 Center for resources and staffing to provide educational and workforce training to low-income
790 and marginalized residents; provided further, that not less than \$250,000 shall be expended for
791 Gallivan boulevard median for greening through tree cover in the town of Dorchester; provided
792 further, that not less than \$400,000 shall be expended for Boston Harbor Now for an electrified
793 ferry fleet from the Boston Harbor Islands National and State Park area gateways; provided
794 further, that not less than \$125,000 shall be expended for the town of West Springfield's
795 planning department to promote economic development opportunities; provided further, that not
796 less than \$1,000,000 shall be expended for costs associated with the Mount Auburn street
797 improvement project in the city of Watertown; provided further, that not less than \$500,000 shall
798 be expended for the planning, design, renovation and restoration of the town common and town
799 center in Winchester; provided further, that not less than \$500,000 shall be expended for the
800 planning, design, renovation and restoration of the Winchester Town Hall; provided further, that
801 not less than \$500,000 shall be expended for intersection improvements in the town of
802 Stoneham; provided further, that not less than \$500,000 shall be expended for the planning,
803 design, renovation and restoration of Whip Hill in the town of Stoneham; provided further, that
804 not less than \$500,000 shall be expended to obtain right-of-way needed for reconstruction of the
805 intersection at North Quincy street and Crescent street in Brockton; provided further, that not
806 less than \$500,000 shall be expended for Brockton public safety complex; provided further, that
807 not less than \$400,000 shall be expended for the monitoring, stabilization or capping of a ground
808 soil PFAS contamination site near the town water wells in Pepperell; provided further, that not

809 less than \$500,000 shall be expended for the town of Dunstable for the development of the
810 Dunstable town center trail loop to enhance accessibility and encourage active transportation and
811 recreation; provided further, that not less than \$35,000 shall be expended for the town of Harvard
812 to purchase a drone to be used by the police and fire departments; provided further, that not less
813 than \$500,000 shall be expended for the design and construction of a youth programming facility
814 operated by SPOKE in the Old Colony Redevelopment in South Boston; provided further, that
815 not less than \$2,000,000 shall be expended for the design of Ryan Playground in the
816 Charlestown section of the city of Boston; provided further, that not less than \$100,000 shall be
817 expended for the Fort Point Arts Community for art and music festivals and performances;
818 provided further, that not less than \$500,000 shall be expended for ADA compliance at the wood
819 working shop in the Dennis-Yarmouth Regional High School; provided further, that not less than
820 \$500,000 shall be expended for the planning, design or construction of public infrastructure
821 projects in the Commercial Triangle area of the city of Everett; provided further, that not less
822 than \$150,000 shall be expended for the improvements to street fronts of Everett businesses;
823 provided further, that not less than \$2,000,000 shall be expended for the redesign of Everett
824 Square; provided further, that not less than \$200,000 shall be expended for East Somerville Main
825 Streets for the further promotion of East Somerville as a culinary and cultural tourism
826 destination; provided further, that not less than \$20,000 shall be expended for the 250th
827 American Revolution Anniversary planning and programming jointly by the town of Danvers,
828 Danvers Alarm List Co., Danvers historical society and Peabody historical society; provided
829 further, that not less than \$500,000 shall be expended for the Amherst council on aging facility in
830 the city of Amherst; provided further, that not less than \$5,000,000 shall be expended for the city
831 of Somerville to improve pedestrian access to the East Somerville MBTA Station; provided

832 further, that not less than \$5,000,000 shall be expended for the department of conservation and
833 recreation to create for a public-private partnership to the implement the a public marina at the
834 dock located between the Steriti memorial skating rink and the prince street park on commercial
835 street located in the city of Boston; provided further, that not less than \$1,000,000 shall be
836 expended to study economic viability and infrastructure along Route 99 in the Sullivan Square
837 section of Charlestown in the city of Boston; provided further, that not less than \$2,000,000 shall
838 be expended for PFAS mitigation and remediation in the town of Littleton; provided further, that
839 not less than \$5,000,000 shall be expended for the USS Constitution Museum to plan, design and
840 fabricate dynamic interactive exhibits to offer a world-class introduction in a new gateway
841 facility; provided further, that not less than \$100,000 shall be expended for the One Bead Project
842 for career readiness programming for school age children in Boston; provided further, that not
843 less than \$300,000 shall be expended to the Newton Cultural Alliance for exterior signage and to
844 make improvements to the driveways and parking areas at the Nathaniel Allen House; provided
845 further, that not less than \$350,000 shall be expended for the Belmont hockey program; provided
846 further, that not less than \$100,000 shall be expended for the Ames free library in the town of
847 Easton; provided further, that not less than \$75,000 shall be expended for the Newton Culture
848 Alliance, Newton Community Pride and new art center for the creation of the Washington Street
849 Cultural Coalition to provide research and staffing for the planning of a new cultural district in
850 Newton to stimulate local businesses and cultural events; provided further, that not less than
851 \$150,000 shall be expended for the town of Southwick for the design and construction of culvert
852 projects on Tannery Road and Vining Hill Road; provided further, that not less than \$150,000
853 shall be expended for economic development in the city of Agawam; provided further, that not
854 less than \$150,000 shall be expended for economic development in the town of Southwick;

855 provided further, that not less than \$60,000 shall be expended for updating the 2019 Littleton
856 Common revitalization road map; provided further, that not less than \$100,000 shall be expended
857 for the Bacon Free Library in the town of Natick; provided further, that not less than \$25,000
858 shall be expended for Amesbury Chamber of Commerce to update their computer systems;
859 provided further, that not less than \$100,000 shall be expended for the Greater Lowell Chamber
860 of Commerce to conduct small business training in Lowell, Billerica, Chelmsford, Dracut,
861 Tewksbury and Tyngsborough; provided further, that not less than \$50,000 shall be expended for
862 Greater Westfield Boys and Girls Club; and provided further, that not less than \$1,000,000 shall
863 be expended for infrastructure improvements on the site of the former Winthrop middle school
864 on Pauline Street in the city of Winthrop.....\$488,327,000

865 *Board of Library Commissioners*

866 7000-9093 For a municipal grant program to support cities and towns for approved
867 public library projects pursuant to sections 19G to 19J, inclusive, of chapter 78 of the General
868 Laws; provided, that grants may be awarded to municipalities submitting applications jointly or
869 through a regional planning agency..... \$150,000,000

870 SECTION 2B.

871 SECRETARY OF THE COMMONWEALTH

872 *Massachusetts Historical Commission*

873 0526-2013 For a grant program to units of municipal government and to private,
874 nonprofit organizations for the preservation of historic properties, landscapes and sites; provided,

875 that such funds shall be awarded in accordance with regulations promulgated by the chair of the
876 Massachusetts historical commission..... \$8,000,000

877 SECTION 2C.

878 EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

879 *Office of the Secretary*

880 7002-0026 For the Massachusetts Life Sciences Investment Fund established in
881 section 6 of chapter 23I of the General Laws; provided, that not less than \$80,000,000 shall be
882 expended for expansion of the Manning College of Nursing & Health Sciences facilities at the
883 University of Massachusetts Boston..... \$580,000,000

884 7002-8077 For the Clean Energy Investment Fund established in section 15 of chapter
885 23J of the General Laws to promote jobs, economic development and workforce development
886 through capital grants to companies and governmental entities for the purposes of supporting and
887 stimulating research and development, innovation, manufacturing, commercialization and
888 deployment of technologies in the commonwealth.....\$200,000,000

889 7002-8078 For the Massachusetts Offshore Wind Industry Investment Trust Fund
890 established in section 9A of chapter 23J of the General Laws to support the offshore wind
891 industry and facilitate economic development activity.....\$200,000,000

892 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

893 *Office of the Secretary*

894 4000-8079 For a program to address the capital needs of nursing facilities throughout the
895 commonwealth; provided, that the executive office of health and human services shall provide,
896 in consultation with the Massachusetts Senior Care Association, Inc., forgivable, low- or no-
897 interest loans to nursing facilities contracted as MassHealth providers to support capital
898 improvements that shall include, but not be limited to, the following: (i) developing nursing
899 facility specialized care units including: (a) infectious disease isolation units; (b) dementia
900 special care units; (c) degenerative neurological units; (d) geriatric psychiatry units; (e) traumatic
901 brain injury units; (f) bariatric units; and (g) behavioral health and substance use disorder units;
902 (ii) addressing urgently needed capital improvements including, but not limited to, heating,
903 ventilation, air conditioning, air filtration system upgrades to help prevent the spread of airborne
904 illnesses, roofing or other infrastructure replacement and repair projects, alternative energy
905 conversion projects and elevator renovations to comply with new state and federal requirements;
906 and (iii) funding innovative projects including, but not limited to, conversion of sections within
907 nursing facilities into affordable housing, veterans housing or assisted living units to better
908 accommodate the individual needs of residents, and conversion of multi-bed rooms to single
909 occupancy to enhance privacy; provided further, that loans shall be available to non-profit
910 entities to facilitate the acquisition of nursing facilities incorporated as for-profit entities;
911 provided further, that the executive office, in consultation with the Massachusetts Senior Care
912 Association, Inc., shall establish a methodology for the distribution of funds; and provided
913 further, that not later than March 1, 2025, the executive office shall submit methodology criteria
914 to the house and senate committees on ways and means and the joint committee on elder
915 affairs.....\$50,000,000

916 SECTION 3. Section 16G of chapter 6A of the General Laws, as amended by sections 20
917 and 21 of chapter 7 of the acts of 2023, is hereby further amended by striking out subsections (i)
918 and (j) and inserting in place thereof the following 2 subsections:-

919 (i) The secretary shall, subject to appropriation, establish within the executive office an
920 office of performance management and oversight to improve the effectiveness of the economic
921 development efforts of the commonwealth. The secretary shall appoint a director of said office
922 who shall have economic development experience in the public or private sector. The director
923 shall establish performance metrics for the public and quasi-public agencies within the executive
924 office or subject to section 56 of chapter 23A, and any regional economic development
925 organization or other private organizations under contract with the commonwealth to perform
926 economic development services, as the secretary shall determine. In developing or revising these
927 performance metrics, the director may from time to time seek out private sector advice and
928 models that can be adapted to the needs of the commonwealth. The secretary shall require each
929 agency or organization reporting to the office to submit an annual plan, including the goals,
930 programs and initiatives for the forthcoming year, and an evaluation of the performance on the
931 goals, programs and initiatives outlined in the preceding year's plan. Such reports shall be in a
932 form directed by the director and shall incorporate such performance metrics as the director shall
933 establish.

934 (j) The director shall prepare an annual report on the progress the agencies or
935 organizations reporting to the office are making towards achieving stated goals in their annual
936 plan. The annual report shall be made available to the public not later than December 31 and
937 shall be published on the official website of the commonwealth and shall be forwarded to the

938 clerks of the house of representatives and the senate, the house and senate committees on ways
939 and means and the joint committee on economic development and emerging technologies.

940 SECTION 4. Said section 16G of said chapter 6A, as so amended, is hereby further
941 amended by striking out subsection (m) and inserting in place thereof the following subsection:-

942 (m) Every 4 years, the secretary of economic development, in consultation with the
943 secretary of energy and environmental affairs shall prepare a report that evaluates the status of
944 the commercial fishing industry and includes recommendations for appropriate actions to be
945 taken to maintain and revitalize the commercial fishing, shellfish and seafood industry.

946 In carrying out this requirement, the secretaries may, and are encouraged to, seek the
947 laboratory, technical, education and research skills and facilities of public institutions of higher
948 education.

949 SECTION 5. Subsection (n) of said section 16G of said chapter 6A, as appearing in the
950 2022 Official Edition, is hereby amended by striking out the second sentence.

951 SECTION 6. Said section 16G of said chapter 6A is hereby further amended by striking
952 out, in lines 255 to 256, as so appearing, the words “executive office and paid as the fund
953 director shall direct” and inserting in place thereof the following words:- secretary of economic
954 development.

955 SECTION 7. Said section 16G of said chapter 6A is hereby further amended by striking
956 out, in line 273, as so appearing, the words “The executive office shall submit an annual” and
957 inserting in place thereof the following words:- In years when expenditures are made from the
958 fund, the executive office shall submit a.

959 SECTION 7A. Chapter 7 of the General Laws is hereby amended by striking out section
960 4I and inserting in place thereof the following section:-

961 Section 4I. There shall be within the executive office for administration and finance, but
962 not under its supervision or control, a commission to be known as the civil service commission,
963 consisting of 5 members, 1 of whom because of vocation, employment, occupation or affiliation,
964 may be classified as a bona fide representative of labor and 2 of whom shall have prior
965 experience serving as a town administrator, city manager, select board member or city councilor.

966 Upon the expiration of the term of office of a commissioner of the civil service
967 commission, a successor shall be appointed by the governor for 5 years; provided, however, that
968 if such successor is not appointed within 60 days of the expiration of the term of office of a
969 commissioner, the said commissioner shall be deemed to be reappointed to a full term. Not more
970 than 3 of such members of the commission shall be members of the same political party, and, of
971 the members of the commission who are enrolled as members of a political party on the voting
972 list used at the primaries, not more than a majority of such members shall be of the same political
973 party. The governor shall, from time to time, designate 1 of the members as chair. The positions
974 of chair and each other member of the commission shall be classified in accordance with section
975 45 of chapter 30 and the salaries shall be determined in accordance with section 46C of said
976 chapter 30. The commissioners shall be reimbursed for their travel and other necessary expenses
977 incurred in attending meetings.

978 Meetings of the commission shall be held at such time and location as it may determine
979 and the commission shall meet upon the request of the personnel administrator. The commission

980 shall in its rules of practice and procedure provide for the conduct of hearings throughout the
981 commonwealth when it would best serve the interested parties.

982 The commission or any member thereof, or the personnel administrator may require, in
983 connection with the activities authorized by law, any official or employee of the human
984 resources division to give full information and to provide all papers and records relating to any
985 official act performed by them.

986 SECTION 7B. Said chapter 7 is hereby further amended by inserting after section 4S,
987 added by section 29 of chapter 7 of the acts of 2023, the following section:-

988 Section 4T. A position shall be established at the manager level under the supervision of
989 the director of diversity and equal opportunity with the responsibility to promote diversity and
990 equal opportunity in civil service employment throughout the commonwealth. The manager of
991 civil service diversity, equity and inclusion shall be responsible for: (i) overseeing initiatives and
992 addressing issues involving diversity, equity and inclusion in public safety employment, with a
993 particular focus on civil service municipalities and municipalities that have left the civil service
994 system; and (ii) providing support to the commission on recruitment, hiring and retention of
995 municipal police officers and firefighters in Massachusetts established by section 78 of chapter
996 31.

997 SECTION 8. Section 35FF of chapter 10 of the General Laws, as so appearing, is hereby
998 amended by striking out the words “clean energy”, in lines 46, 51, 52, 53, 57, 64, 75, 87, 89, 94,
999 98, 138, 139, 140, and 141 to 142, each time they appear, and inserting in place thereof, in each
1000 instance, the following word:- climatetech.

1001 SECTION 8A. Section 4C of chapter 21A of the General Laws, as so appearing, is
1002 hereby amended by adding the following subsection:-

1003 (l) The ocean management plan shall require an environmental DNA study to determine
1004 the nature of the habitat of and usage by the marine life specific to the area and shall examine
1005 potential impacts to the ecosystem, including, but not limited to, commercial and recreational
1006 fishing.

1007 SECTION 9. Chapter 22 of the General Laws is hereby amended by striking out section
1008 12 and inserting in place thereof the following section:-

1009 Section 12. (a) For the purposes of this section, the following words shall, unless the
1010 context clearly requires otherwise, have the following meanings:

1011 “Mixed martial arts”, as defined in section 32 of chapter 147.

1012 “Unarmed combative sport”, as defined in section 32 of chapter 147.

1013 (b) There shall be within the office of public safety and inspections a commission, to be
1014 known as the state athletic commission, consisting of the commissioner of occupational
1015 licensure, or their designee, and 4 persons to be appointed by the governor, 1 of whom shall have
1016 a background in the sport of boxing and 1 of whom shall have a background in the sport of
1017 mixed martial arts. Members shall serve for terms of 3 years or until a successor is appointed.
1018 The governor shall from time to time designate 1 member as chair. A quorum of 3 members shall
1019 be required for the commission to exercise its authority, and an affirmative vote of a majority of
1020 the commissioners present at a commission meeting shall be required for all commission actions.

1021 The members appointed by the governor may be reimbursed for necessary travel expenses
1022 incurred in the performance of their duties.

1023 (c) If a member is absent without justification for 4 consecutive meetings or for more
1024 than 50 per cent of the meetings in a single calendar year, the member's seat on the commission
1025 shall be vacant and the governor shall appoint a successor consistent with subsection (b). The
1026 commission shall, by rule, define what constitutes excused and unexcused absences.

1027 (d) Each commission member shall serve at the pleasure of the governor.

1028 (e) The commission shall appoint a full-time executive director to assume the role of the
1029 commission's administrative and executive head. The executive director shall have: (i) not less
1030 than 5 years of experience in unarmed combative sports; and (ii) skills and experience in
1031 management. The executive director shall serve at the pleasure of the commission, shall devote
1032 their full time and attention to the office's duties and shall receive a salary as determined by the
1033 commission. The executive director shall be responsible for administering and enforcing the
1034 provisions of law relative to the commission. The executive director may, subject to the approval
1035 of the commission, employ other employees, consultants, agents and advisors, including, but not
1036 limited to, legal counsel, and shall attend the meetings of the commission.

1037 (f) The commission may deputize 1 or more persons to represent the commission and to
1038 be present at a match or exhibition held under sections 32 to 51, inclusive, of chapter 147;
1039 provided, however, that such deputies shall be compensated in an amount fixed by the
1040 commission for each match or exhibition attended; and provided further, that the commission
1041 may approve that such deputies be reimbursed for necessary travel expenses incurred in the
1042 performance of their duties.

1043 (g) No deputy shall be assigned to regulate an event under the authority or jurisdiction of
1044 the commission who has not received formal training on the laws and rules of the commission
1045 and related issues within the previous 12 months prior to the scheduled event. The commission
1046 may reimburse deputies for necessary travel expenses incurred while attending a formal training.

1047 SECTION 10. Subsection (b) of section 3A of chapter 23A of the General Laws, as
1048 appearing in the 2022 Official Edition, is hereby amended by striking out the definition of
1049 “Expansion of an existing facility” and inserting in place thereof the following definition:-

1050 “Expansion project”, the expansion of an existing facility located in the commonwealth
1051 that results in a net increase in the number of permanent full-time employees at the expanded
1052 facility.

1053 SECTION 11. Said subsection (b) of said section 3A of said chapter 23A, as so
1054 appearing, is hereby further amended by inserting after the definition of “Gateway municipality”
1055 the following definition:-

1056 “In-state relocation project”, the relocation of a business from 1 location in the
1057 commonwealth to another location in the commonwealth that results in a net increase in the
1058 number of permanent full-time employees.

1059 SECTION 12. Said subsection (b) of said section 3A of said chapter 23A, as so
1060 appearing, is hereby further amended by striking out the definition of “Municipal project
1061 endorsement” and inserting in place thereof the following definition:-

1062 “Municipal project endorsement”, an endorsement of a city council with the approval of
1063 the mayor in a city, a select board or a board of selectmen in a town that: (i) finds a proposed

1064 project is consistent with the municipality’s economic development objectives; (ii) finds a
1065 proposed project has a reasonable chance of increasing or retaining employment opportunities as
1066 advanced in the proposal; and (iii) provides a description of the local tax incentive, if any,
1067 offered by the municipality in support of the proposed project.

1068 SECTION 13. Said subsection (b) of said section 3A of said chapter 23A, as so
1069 appearing, is hereby further amended by inserting after the definition of “Municipality” the
1070 following definition:-

1071 “Out-of-state relocation project”, the relocation of a business and permanent full-time
1072 employees from outside the commonwealth to a location within the commonwealth.

1073 SECTION 14. Said subsection (b) of said section 3A of said chapter 23A, as so
1074 appearing, is hereby further amended by striking out the definition of “Proportion of
1075 compliance” and inserting in place thereof the following definition:-

1076 “Proportion of compliance”, a determination made by the economic assistance
1077 coordinating council, established pursuant to section 3B, of a certified project’s compliance with
1078 obligations related to capital investment, job creation, job retention or other obligations
1079 applicable to the certified project.

1080 SECTION 15. Said subsection (b) of said section 3A of said chapter 23A, as so
1081 appearing, is hereby further amended by striking out the definition of “Replacement of an
1082 existing facility” and inserting in place thereof the following definition:-

1083 “Retention project”, a project that enables a controlling business to retain at least 50
1084 permanent full-time employees at a facility located within a gateway city or in an adjacent city or

1085 town that is accessible by public transportation to residents of a gateway city; provided, that
1086 without such project, the retained jobs would be relocated outside of the commonwealth.

1087 SECTION 16. Said section 3A of said chapter 23A, as so appearing, is hereby further
1088 amended by striking out, in line 113, the words “and approved by the EACC”.

1089 SECTION 17. The first sentence of subsection (a) of section 3B of said chapter 23A, as
1090 appearing in section 66 of chapter 7 of the acts of 2023, is hereby amended by striking out the
1091 words “who shall serve as co-chairperson”.

1092 SECTION 18. Said section 3B of said chapter 23A, as appearing in the 2022 Official
1093 Edition, is hereby further amended by striking out clauses (iii) to (vii), inclusive, and inserting in
1094 place thereof following clauses:-

1095 (iii) authorize municipalities to apply to the United States Foreign Trade Zone Board for
1096 the privilege of establishing, operating and maintaining a foreign trade zone in accordance with
1097 section 3G;

1098 (iv) assist municipalities in obtaining state and federal resources and assistance for
1099 certified projects and other job creation and retention opportunities;

1100 (v) provide appropriate coordination with other state programs, agencies, authorities and
1101 public instrumentalities to enable certified projects and other job creation and retention
1102 opportunities to be more effectively promoted by the commonwealth; and

1103 (vi) monitor the implementation of the economic development incentive program.

1104 SECTION 19. Subsection (c) of said section 3B of said chapter 23A, as most recently
1105 amended by section 67 of chapter 7 of the acts of 2023, is hereby further amended by striking out

1106 the first 2 sentences and inserting in place thereof the following sentence:- The director of
1107 MOBD shall be responsible for administering the EDIP in consultation with the secretary of
1108 economic development and the EACC.

1109 SECTION 20. Section 3C of said chapter 23A, as appearing in the 2022 Official Edition,
1110 is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the
1111 following 2 subsections:-

1112 (a) A controlling business may petition the EACC to certify a proposed project by
1113 submitting the following to the EACC: (i) a detailed description of the proposed project; (ii) a
1114 representation by the controlling business regarding the amount of capital investment to be made,
1115 the number of new jobs to be created and the number of existing jobs to be retained; (iii) a
1116 representation by the controlling business regarding any other economic benefits or other public
1117 benefits expected to result from the construction of the proposed project; and (iv) any other
1118 information that the EACC shall require by regulation, policy or guidance.

1119 (b)(1) Upon receipt of a completed project proposal, the EACC may certify the proposed
1120 project, deny certification of the proposed project or certify the proposed project with conditions.
1121 In order to certify a proposed project, with or without conditions, the EACC shall make the
1122 following required findings based on the project proposal and any additional investigation that
1123 the EACC shall make: (i) the proposed project is located or will be located within the
1124 commonwealth; (ii) the proposed project qualifies as an expansion project, in-state relocation
1125 project, out-of-state relocation project or retention project; (iii) the controlling business has
1126 committed to maintaining new and retained jobs for a period of at least 3 years after the
1127 completion of the proposed project; (iv) the proposed project appears to be economically feasible

1128 and the controlling business has the financial and other means to undertake and complete the
1129 proposed project; (v) the EDIP tax credits available to the controlling business pursuant to this
1130 chapter are a significant factor in its decision to undertake the proposed project; and (vi) the
1131 proposed project complies with all applicable statutory requirements and with any other criteria
1132 that the EACC may prescribe by regulation, policy or guidance.

1133 (2) The EACC shall, by regulation, policy or guidance, provide for the contents of an
1134 application for project certification, which may include a requirement that the controlling
1135 business provide written evidence to support clause (v).

1136 SECTION 21. Subsection (d) of said section 3C of said chapter 23A, as so appearing, is
1137 hereby amended by striking out the last sentence.

1138 SECTION 22. Section 3D of said chapter 23A, as so appearing, is hereby amended by
1139 striking out, in lines 4 to 5, the words “awarded and the schedule on which those credits may be
1140 claimed” and inserting in place thereof the following words:- awarded, the schedule on which
1141 those credits may be claimed and the extent to which the credits are refundable.

1142 SECTION 23. Said section 3D of said chapter 23A, as so appearing, is hereby further
1143 amended by striking out, in lines 25 to 29, inclusive, the words “and (vii) commitments, if any,
1144 made by the controlling business to use Massachusetts firms, suppliers and vendors or to retain
1145 women or minority-owned businesses during the construction of the certified project” and
1146 inserting in place thereof the following words:- (vii) commitments, if any, made by the
1147 controlling business to use Massachusetts firms, suppliers and vendors or to retain women or
1148 minority-owned businesses during the construction of the certified project; and (viii) the
1149 commitments, if any, set forth in a municipal project endorsement.

1150 SECTION 24. Said section 3D of said chapter 23A, as so appearing, is hereby further
1151 amended by striking out, in lines 35 to 37, inclusive, the words “and (iii) limit or restrict the right
1152 of the controlling business to carry unused tax credits forward to subsequent tax years” and
1153 inserting in place thereof the following words:- (iii) limit or restrict the right of the controlling
1154 business to carry unused tax credits forward to subsequent tax years; and (iv) allow all or some
1155 portion of the credits to be refundable.

1156 SECTION 25. Said section 3D of said chapter 23A, as so appearing, is hereby further
1157 amended by striking out subsection (b).

1158 SECTION 26. Said chapter 23A is hereby further amended by striking out section 3E and
1159 inserting in place thereof the following section:-

1160 Section 3E. (a) Tax increment financing may be offered by a municipality in accordance
1161 with section 59 of chapter 40 to the controlling business of a certified project, or to any person or
1162 entity undertaking a real estate project or to any person or entity expanding a facility if the
1163 municipality finds that there is a strong likelihood that any of the following will occur within the
1164 area in question within a specific and reasonably proximate period of time: (i) a significant influx
1165 or growth in business activity; (ii) the creation of a significant number of new jobs and not
1166 merely a replacement or relocation of current jobs within the commonwealth; or (iii) a private
1167 project or investment that contributes significantly to the resiliency of the local economy.

1168 (b)(1) A municipality may offer a special tax assessment to the controlling business of a
1169 certified project, to a person or entity undertaking a real estate project or to a person or entity
1170 proposing to retain permanent full-time jobs at a facility that otherwise would be at risk of
1171 relocating outside of the commonwealth. A special tax assessment shall be set forth in a written

1172 agreement between the municipality and the property owner. The agreement shall include, but
1173 shall not be limited to, the amount of the tax reduction and the period of time over which such
1174 reduction shall be in effect, which shall be for not less than 5 years and not more than 20 years.
1175 A special tax assessment approved by the municipality shall provide for a reduction of the real
1176 property tax that otherwise would be due. The reduction shall be based upon a percentage
1177 reduction in the tax that otherwise would be due on the full assessed value of the affected
1178 property. The special tax assessment shall provide for tax reduction at least equal to the
1179 following: (i) in the first year, the tax reduction shall be not less than 50 per cent of the tax that
1180 would be due based on the full assessed value of the affected property; (ii) in the second and
1181 third years, the tax reduction shall be not less than 25 per cent of the tax that would be due based
1182 on the full assessed value of the affected property; and (iii) in the fourth and fifth years, the tax
1183 reduction shall be not less than 5 per cent of the tax that would be due based on the full assessed
1184 value of the affected property. The municipality may at its discretion provide for greater real
1185 property tax reductions than those described in clauses (i) to (iii), inclusive.

1186 (2) A municipality may approve special tax assessments if it determines that: (i) the
1187 property owner is: (A) either undertaking a project or otherwise making an investment that
1188 contributes to economic revitalization of the municipality and significantly increases
1189 employment opportunities for residents of the municipality; or (B) retaining permanent full-time
1190 employees that otherwise would be relocated to a facility outside of the commonwealth; (ii) the
1191 special tax assessment is reasonably necessary to enable the owner's investment in the project or
1192 to retain the jobs that otherwise would be relocated; and (iii) the total amount of local tax
1193 foregone is reasonably proportionate to the public benefits resulting from the special tax
1194 assessment.

1195 (c) If a municipality offers tax increment financing or special tax assessment to the owner
1196 or controlling business of a certified project or to the owner of a facility where a certified project
1197 is located, the municipality shall notify the EACC by submitting a fully executed copy of the
1198 adopted local incentive agreement and any amendments thereto.

1199 SECTION 27. Section 3F of said chapter 23A, as appearing in the 2022 Official Edition,
1200 is hereby amended by striking out, in lines 1 and 2, the words “Not later than 2 years after the
1201 initial certification of a project by the EACC, and annually thereafter, the” and inserting in place
1202 thereof the following word:- The.

1203 SECTION 28. Said section 3F of said chapter 23A, as so appearing, is hereby further
1204 amended by striking out, in line 37, the words “with job creation requirements”.

1205 SECTION 29. Said section 3F of said chapter 23A, as so appearing, is hereby further
1206 amended by striking out subsections (d) and (e) and inserting in place thereof the following 2
1207 subsections:-

1208 (d) Revocation of a project certification shall take effect on the first day of the tax year in
1209 which the material noncompliance occurred, as determined by the EACC, and all EDIP tax
1210 credits available to the controlling business shall be rescinded and any claimed tax credits
1211 awarded under this chapter shall be recaptured in accordance with subsection (g) of section 6 of
1212 chapter 62 and subsection (i) of section 38N of chapter 63.

1213 (e) Notwithstanding any general law to the contrary, if a municipality terminates a local
1214 tax incentive agreement, the municipality may recapture the value of the tax not paid by making
1215 a special assessment on the owner of the parcel of real property in the tax year that follows the
1216 municipality’s decision to terminate the agreement. The assessment, payment and collection of

1217 the special assessment shall be governed by procedures provided for the taxation of omitted
1218 property pursuant to section 75 of chapter 59 notwithstanding the time period set forth in said
1219 chapter 59 for which omitted property assessments may be imposed for each of the fiscal years
1220 included in the special assessment.

1221 SECTION 30. Said chapter 23A is hereby further amended by striking out section 3H and
1222 inserting in place thereof the following section:-

1223 Section 3H. (a) There shall be a permit regulatory office within the executive office of
1224 economic development. The secretary of economic development shall appoint a person with
1225 experience in permitting and business development to serve as the director of the permit
1226 regulatory office. The director of the permit regulatory office shall: (i) serve as the state permit
1227 ombudsman to new and expanding businesses; (ii) work with other state agencies, but not
1228 including divisions of the state secretary's office, to expedite the process of obtaining state
1229 licenses, permits, state certificates, state approvals and other requirements of law; (iii) provide
1230 technical assistance to municipalities interested in streamlining local permitting processes; (iv)
1231 review and approve or deny municipal priority development site proposals made pursuant to
1232 chapter 43D and monitor the development of priority development sites; (v) subject to
1233 appropriation, administer and award technical assistance grants pursuant to chapter 43D; and (vi)
1234 support the administration of the growth districts initiative as defined in chapter 43E. The permit
1235 regulatory office shall consult with the secretary of energy and environmental affairs, the
1236 secretary of housing and livable communities and the secretary of transportation prior to
1237 approving or denying a proposed priority development site; provided, that for local review
1238 procedures the regulatory office shall consult with relevant municipal officials and regional
1239 planning agencies responsible for local review procedures.

1240 (b) There shall be a regulatory ombudsman within the permit regulatory office to address
1241 regulatory matters of interest to the business community. The regulatory ombudsman shall work
1242 in partnership with the state permitting ombudsman to assist businesses in the process of
1243 complying with state regulations and other requirements of law that affect businesses. The
1244 regulatory ombudsman shall facilitate communication between individual businesses and state
1245 agencies and provide periodic training to regulatory personnel in state agencies on how to
1246 identify the small business impacts of regulation, how to reduce those impacts and how to
1247 expedite and streamline the process or compliance.

1248 (c) The director of the permit regulatory office shall file an annual report with the house
1249 and senate committees on ways and means not later than January 1 detailing the activities of the
1250 permit regulatory office.

1251 SECTION 31. Said chapter 23A is hereby further amended by inserting after section 3L
1252 the following 2 sections:-

1253 Section 3M. (a)(1) For the purposes of this section, “office” shall mean the Massachusetts
1254 office of business development established in section 1, or any constituent office thereof.

1255 (2) There is hereby established a pilot program for a live theater tax credit for which a
1256 live theater company doing business with a Massachusetts-based theater venue, theater company,
1257 theater presenter or producer may be eligible. The credit shall be established to support the
1258 expansion of pre-Broadway productions, pre-off Broadway productions , national tour launches
1259 and regional professional theater productions, as those terms are defined in paragraph (1) of
1260 subsection (ee) of section 6 of chapter 62 and subsection (a) of section 3800 of chapter 63 and
1261 shall assist in the development of long run show development and growth.

1262 (b)(1) The office, directly or through a constituent office, shall run a competitive grant
1263 program to award live theater tax credits. An applicant may only be awarded a tax credit if they
1264 meet the requisite criteria and qualifications for the credit as outlined in this section and
1265 subsection (ee) of section 6 of chapter 62 or section 3800 of chapter 63. The office shall
1266 establish criteria for prioritization of credits, which may include anticipated economic impact
1267 and other factors at the discretion of the office. The total cumulative value of the credits
1268 authorized pursuant to this section and subsection (ee) of section 6 of chapter 62 or section 3800
1269 of chapter 63 shall not exceed \$7,000,000 annually.

1270 (2) An applicant for a live theater tax credit shall properly prepare, sign and submit to the
1271 office an application for certification of the theater production. The application shall provide all
1272 information and data the office deems necessary for the evaluation and administration of the
1273 application, including, but not limited to, any information about the theater production company
1274 or its related partners or presenters and a specific Massachusetts live theater or musical
1275 production as well as such other information as the office, in its discretion, requires to evaluate
1276 and prioritize applications. The eligible theater production budget shall be not less than
1277 \$100,000. The maximum credit for any production shall not be more than \$7,000,000, or a lesser
1278 amount as determined by the office.

1279 (3) The office shall review completed applications, determine whether they meet the
1280 requisite criteria and qualifications for certification and award tax credits at their sole discretion.
1281 If a theater production or presentation is determined to be eligible, the office shall issue a
1282 certification of the eligible theater production or presentation to the theater production company,
1283 co-producer or presenter and to the commissioner of revenue. The certification shall provide a

1284 unique identification number for the production and shall be a statement of conditional eligibility
1285 for the production.

1286 (c) Upon completion of an eligible theater production for which a certification has been
1287 granted, the applicant shall properly prepare, sign and submit to the office and the department of
1288 revenue a cost accounting in connection with the eligible theater production. The cost accounting
1289 shall contain a cost report and an accountant's certification. In computing payroll costs,
1290 production and performance expenditures and transportation expenditures for which a credit may
1291 be claimed, an eligible theater production shall subtract any state funds, state loans or state
1292 guaranteed loans. The office and commissioner of revenue may rely, without independent
1293 investigation, upon an accountant's certification, in the form of an opinion, confirming the
1294 accuracy of the information included in the cost report. If the office or the department of revenue
1295 receives information that is materially inconsistent with representations made in an application,
1296 the office may rescind the certification.

1297 (d) The office, in consultation with the commissioner of revenue, shall promulgate rules
1298 and regulations to administer this section.

1299 Section 3N. (a)(1) For the purposes of this section, the following words shall, unless the
1300 context clearly requires otherwise, have the following meanings:

1301 "Digital interactive media", as defined in subsection (ii) of section 6 of chapter 62.

1302 "Digital interactive media production company", as defined in subsection (ii) of section 6
1303 of chapter 62.

1304 “Office”, the Massachusetts office of business development established in section 1, or
1305 any constituent office thereof.

1306 (b)(1) There is hereby established a pilot program for a digital interactive media tax credit
1307 for which a digital interactive media production company doing business in the commonwealth
1308 may be eligible. The credit shall support digital interactive media production in the
1309 commonwealth and maintain students in the commonwealth.

1310 (2) The office shall establish a pilot program to award digital interactive media tax credits
1311 to qualified digital interactive media production companies for the employment of persons within
1312 the commonwealth in connection with the production of digital interactive media in the
1313 commonwealth within any consecutive 12-month period. An applicant shall only be awarded a
1314 tax credit if they meet the requisite criteria and qualifications for credit as outlined in this section
1315 and subsection (ii) of section 6 of chapter 62 or section 38TT of chapter 63.

1316 (3) The office shall establish criteria for prioritization of credits, which may include
1317 anticipated economic impact and other factors at the discretion of the office, including the extent
1318 to which credits are refundable. The total cumulative value of the credits authorized pursuant to
1319 this section and subsection (ii) of section 6 of chapter 62 or section 38TT of chapter 63 shall not
1320 exceed \$5,000,000 annually.

1321 (c)(1) The office may certify 1 or more digital interactive media production companies
1322 upon timely receipt of an application, on a form prescribed by the office, and any information the
1323 office determines, including, but not limited to, information to verify any digital interactive
1324 media production expenses.

1325 (2) The office shall review completed applications and determine whether they meet the
1326 requisite criteria and qualifications for certification. If a digital interactive media company is
1327 determined to be eligible, the office shall issue a certification and coordinate with the department
1328 of revenue for the administration of a tax credit. If the office or the department of revenue
1329 receives information that is materially inconsistent with representations made in an application,
1330 the office may rescind the certification.

1331 (3) The office may impose a fee for the processing of applications under this section.

1332 (d) The office may promulgate regulations as necessary for the administration of this
1333 section.

1334 SECTION 32. Section 62 of said chapter 23A is hereby repealed.

1335 SECTION 33. Said chapter 23A is hereby further amended by striking out section 66 and
1336 inserting in place thereof the following 2 sections:-

1337 Section 66. (a) For purposes of this section and section 66A, “rural community” shall
1338 mean a municipality with a population density of less than 500 persons per square mile or a
1339 population of less than 7,000 persons, in each case as shown in the most recent U.S. decennial
1340 census.

1341 (b) There shall be a rural policy advisory commission within, but not subject to the
1342 supervision or control of, the executive office of economic development. The mission of the
1343 commission shall be to enhance the economic vitality of rural communities and advance the
1344 health and well-being of rural residents.

1345 (c) The commission shall consist of the following 15 members: the speaker of the house
1346 of representatives, ex officio, or a designee; the president of the senate, ex officio, or a designee;
1347 the secretary of economic development, ex officio, or a designee; and 12 persons to be appointed
1348 by the governor, 1 of whom shall be from the Berkshire regional planning commission, 1 of
1349 whom shall be from the Cape Cod commission, 1 of whom shall be from the central
1350 Massachusetts regional planning district commission, 1 of whom shall be from the Franklin
1351 regional council of governments, 1 of whom shall be from the Martha's Vineyard commission, 1
1352 of whom shall be from the Montachusett regional planning commission, 1 of whom shall be from
1353 the Nantucket planning and economic development commission and 1 of whom shall be from the
1354 Pioneer Valley planning commission. Commission members shall be persons with demonstrated
1355 interest and experience in advancing the interests of rural residents.

1356 (d) Members of the commission shall serve a maximum of 3 consecutive 3-year terms.
1357 Vacancies in the membership of the commission shall be filled for the balance of the unexpired
1358 term. The commission shall elect from among its members a chair, a vice chair, a treasurer and
1359 any other officers it considers necessary. The members of the commission shall receive no
1360 compensation for their services but shall be reimbursed for any usual and customary expenses
1361 incurred in the performance of their duties. Members shall be considered special state employees
1362 for the purposes of chapter 268A.

1363 (e) The commission shall serve as a research body for issues critical to the welfare and
1364 vitality of rural communities and shall: (i) study, review and report on the status of rural
1365 communities and residents in the commonwealth; (ii) advise the general court and the executive
1366 branch of the impact of existing and proposed state laws, policies and regulations on rural
1367 communities; (iii) advance legislative and policy solutions that address rural needs; (iv) advocate

1368 to ensure that rural communities receive a fair share of state investment; (v) promote
1369 collaboration among rural communities to improve efficiency in delivery of services; and (vi)
1370 develop and support new leadership in rural communities. The executive office shall, subject to
1371 appropriation, provide the commission with adequate office space and any research, analysis or
1372 other staff support that the commission reasonably requires.

1373 (f) The commission shall meet on a quarterly basis at the discretion of the chair. Meeting
1374 locations shall rotate between Boston, Cape Cod and the Islands, central Massachusetts and
1375 western Massachusetts. Meetings shall be open to the public pursuant to sections 18 to 25,
1376 inclusive, of chapter 30A.

1377 (g) The commission may accept and solicit funds, including any gifts, donations, grants
1378 or bequests or any federal funds for any of the purposes of this section. The funds shall be
1379 deposited in a separate account with the state treasurer, shall be received by the state treasurer on
1380 behalf of the commonwealth and shall be expended by the commission under the law.

1381 (h) The commission shall annually, not later than June 2, report the results of its findings
1382 and activities of the preceding year and its recommendations to the governor and to the clerks of
1383 the house of representatives and the senate who shall forward the same to the joint committee on
1384 economic development and emerging technologies.

1385 Section 66A. (a) The executive office of economic development shall administer a rural
1386 development program to promote economic opportunity and prosperity in rural communities.
1387 The program shall provide financial assistance on a competitive basis to municipalities, other
1388 public entities, community development corporations, regional planning agencies or non-profit
1389 entities for infrastructure projects, downtown improvements and other projects that advance

1390 economic and community development, stable housing markets and priorities identified by the
1391 rural policy advisory commission established in section 66.

1392 (b) The secretary of economic development shall, through guidelines or regulations,
1393 establish an application process and criteria to prioritize the distribution of financial assistance,
1394 taking into account the diversity of rural communities. The guidelines or regulations shall allow
1395 for joint applications by 2 or more rural communities for a single project serving the
1396 municipalities.

1397 (c) The secretary of economic development shall report annually to the house and senate
1398 committees on ways and means and the joint committee on community development and small
1399 businesses on the activities and status of the program.

1400 SECTION 34. Subsection (a) of section 69 of said chapter 23A, as appearing in the 2022
1401 Official Edition, is hereby amended by striking out the third sentence and inserting in place
1402 thereof the following sentence:- For the purposes of this section, the term “micro business” shall
1403 mean a business entity with: (i) a principal place of business in the commonwealth; (ii) not more
1404 than 10 full-time employees; and (iii) annual net profit of not more than \$250,000.

1405 SECTION 34A. Said chapter 23A is hereby further amended by adding the following
1406 section:-

1407 Section 70. (a) The terms defined in paragraph (aaa) of section 6 of chapter 64H shall
1408 apply to this section unless the context clearly requires otherwise.

1409 (b) The secretary of the executive office of economic development, in consultation with
1410 the commissioner of revenue, shall determine qualifications for qualified data centers, to qualify
1411 for a sales and use tax exemption pursuant to paragraph (aaa) of section 6 of chapter 64H.

1412 (c) To apply for the sales and use tax exemption pursuant to paragraph (aaa) of section 6
1413 of chapter 64H, the owner or operator of a data center shall submit to the secretary of economic
1414 development an application on a form prescribed by the commissioner of revenue that shall
1415 include:

1416 (i) the name, address and telephone number of the owner or operator;

1417 (ii) the address of the site where the qualified data center is or will be located, including,
1418 but not limited to, information sufficient to identify the facility composing the data center, and
1419 the expected commercial operations date of each data center building that will be located at the
1420 data center facility;

1421 (iii) the anticipated aggregate square feet of the qualified data center for which the sales
1422 and use tax exemption is being sought; provided, that in determining whether the facility has the
1423 required square footage, the total square footage of the data center facility shall include the space
1424 that houses the computer information technology equipment, networking, data processing or data
1425 storage, including, but not limited to, servers and routers and the following spaces that support
1426 the operation of enterprise information technology equipment including, but not limited to, office
1427 space, meeting space, loading dock space and mechanical and other support facilities;

1428 (iv) the anticipated investment associated with the qualified data center for which the
1429 sales and use tax exemption is being sought;

1430 (v) the anticipated number of jobs that the data center will create and maintain within 1
1431 year, 5 years and 10 years of operations after certification; and

1432 (vi) an affirmation, signed by an authorized executive representing the owner or operator,
1433 that the data center is expected to satisfy the certification requirements in this section as a
1434 qualified data center.

1435 (d)(1) Within 60 days after receiving a completed application, the secretary of economic
1436 development shall review the application submitted by the owner or operator of a data center and
1437 certify the data center as a certified qualified data center if the data center meets all requirements
1438 of this section.

1439 (2) The secretary shall issue a written certification that the data center qualifies for the
1440 sales and use tax exemption or provide written reasons for its denial and an opportunity for the
1441 applicant to cure any deficiencies.

1442 (3) Failure to approve or deny the application within 60 days after the date the owner or
1443 operator submits the application to the secretary shall constitute approval of the qualified data
1444 center and the secretary shall issue written certification to the owner or operator within 14 days.

1445 (4) The certification shall provide the following information related to each data center:

1446 (i) the effective date of the certification;

1447 (ii) the total square footage of the qualified data center;

1448 (iii) the total amount of land costs, construction costs, refurbishment costs and eligible
1449 data center equipment; and

1450 (iv) the beginning and ending dates of the sales and use tax exemption for the first data
1451 center building, which shall begin on the effective date of the certification and be valid for
1452 qualification period, and for a qualified data center that is comprised of more than 1 data center
1453 building, the expected commercial operations dates and expected qualification periods for
1454 subsequent data center buildings expected to be located at the qualified data center.

1455 (5) The secretary shall send a copy of the certification to the commissioner of revenue.

1456 (e) The effective date of the certification shall be the date on which the application was
1457 submitted to the secretary or a prospective date stated in the application that does not exceed 5
1458 years after the date on which the application was submitted; provided, that the certification shall
1459 be valid through the qualification period.

1460 (f) The secretary and commissioner shall review the certification after 10 years.

1461 (g)(1) For the purposes of this section, the term “material noncompliance” shall mean the
1462 failure of a qualified data center to substantially achieve the investment requirements and
1463 minimum number of jobs pursuant to paragraph (aaa) of section 6 of chapter 64H.

1464 (2) The secretary may revoke the certification of a qualified data center after an
1465 investigation by the executive office of economic development, in consultation with the
1466 department of revenue, and a written determination that the qualified data center is in material
1467 noncompliance with this section, paragraph (aaa) of section 6 of chapter 64H or the certification.

1468 (3) Revocation shall take effect on the first day of the tax year in which the executive
1469 office of economic development determines the qualified data center to be in material
1470 noncompliance. The commissioner of revenue shall, as of the effective date of the revocation,

1471 disallow any credits, exemptions or other tax benefits allowed by the original certification of tax
1472 benefits pursuant to paragraph (aaa) of section 6 of chapter 64H.

1473 (h) Each qualified data center shall file a report with the secretary and commissioner prior
1474 to the end of the tenth year of the qualification period detailing whether it has met the specific
1475 investment requirements pursuant to paragraph (aaa) of section 6 of chapter 64H.

1476 (i) The secretary, in consultation with the commissioner of revenue, shall promulgate
1477 regulations and shall issue instructions or forms necessary for the implementation of this section.

1478 SECTION 35. Section 27 of chapter 23G of the General Laws, as so appearing, is hereby
1479 amended by striking out, in line 103, the words “clean and renewable energy technology” and
1480 inserting in place thereof the following words:- climatetech, as defined in section 1 of chapter
1481 23J.

1482 SECTION 36. Chapter 23I of the General Laws is hereby amended by striking out
1483 section 1 and inserting in place thereof the following section:-

1484 Section 1. The general court finds and declares that:

1485 (1) research in the life sciences and regenerative and preventative medicine presents a
1486 significant opportunity of yielding fundamental biological knowledge from which may emanate
1487 therapies to relieve, on a large scale, human suffering from disease and injury;

1488 (2) the extraordinary biomedical scientists working within institutions of higher
1489 education, research institutes, hospitals and life sciences companies can contribute significantly
1490 to the welfare of mankind by performing outstanding research in these fields;

1491 (3) promoting the health of residents of the commonwealth is a fundamental purpose of
1492 state government;

1493 (4) promoting life sciences research to foster the development of the next generation of
1494 health-related innovations, to enhance the competitive position of the commonwealth in this vital
1495 sector of the economy and to improve the quality and delivery of health care for the people of the
1496 commonwealth is a clear public purpose and governmental function;

1497 (5) public support for, and promotion of, the life sciences will benefit the commonwealth
1498 and its residents through improved health status and health outcomes, economic development
1499 and contributions to scientific knowledge, and such research will lead to breakthroughs and
1500 improvements that might not otherwise be discovered due to the lack of existing market
1501 incentives, especially in the area of regenerative and preventative medicine, such as stem cell
1502 research;

1503 (6) public support for, and promotion of, life sciences research has the potential to
1504 provide cures or new treatments for many debilitating diseases that cause tremendous human
1505 suffering and cost the commonwealth millions of dollars each year;

1506 (7) it is imperative for the purposes of the commonwealth's competitiveness to invest in
1507 life sciences research, biotechnology, nanotechnology, bio-security and health-related artificial
1508 intelligence to leverage revenues and to encourage cooperation and innovation among public and
1509 private institutions involved in life sciences research and related applications;

1510 (8) the purpose of this chapter is to continue the establishment of the Massachusetts Life
1511 Sciences Center, to grant that center the power to contract with other entities to receive other
1512 funds and to disburse those funds consistent with the purpose of this chapter;

1513 (9) the Massachusetts Life Sciences Center is intended to: (i) promote the best available
1514 research in life sciences disciplines through diverse institutions and to build upon existing
1515 strengths in the area of biosciences in order to spread the economic benefits across the
1516 commonwealth; and (ii) foster improved health care outcomes in the commonwealth and the
1517 world; and

1518 (10) the investments of the Massachusetts Life Sciences Center are intended to support
1519 future statewide, comprehensive strategies to lead the nation in life sciences-related research,
1520 innovations and employment.

1521 SECTION 37. Section 2 of said chapter 23I, as appearing in the 2022 Official Edition, is
1522 hereby amended by inserting after the definition of “Equity investment” the following
1523 definition:-

1524 “Health equity”, addressing the preventable disproportion and differences in the burden
1525 of disease, experienced by populations that have been disadvantaged by their social or economic
1526 status, geographic location or environment.

1527 SECTION 38. Said section 2 of said chapter 23I, as so appearing, is hereby further
1528 amended by striking out the definition of “Life sciences” and inserting in place thereof the
1529 following definition:-

1530 “Life sciences”, advanced and applied sciences that expand the understanding of human
1531 physiology and have the potential to lead to medical advances or therapeutic applications,
1532 including, but not limited to, agricultural biotechnology, biogenerics, bioinformatics, biomedical
1533 engineering, biopharmaceuticals, biotechnology, biosecurity, life sciences related artificial
1534 intelligence, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis,

1535 marine biology, marine technology, medical technology, medical devices, nanotechnology,
1536 natural product pharmaceuticals, proteomics, regenerative and preventative medicine, RNA
1537 interference, stem cell research and veterinary science.

1538 SECTION 39. Section 3 of said chapter 23I, as amended by section 133 of chapter 7 of
1539 the acts of 2023, is hereby further amended by striking out subsection (b) and inserting in place
1540 thereof the following subsection:-

1541 (b)(1) The center shall be governed and its corporate powers exercised by a board of
1542 directors consisting of 9 directors: 1 of whom shall be the secretary of administration and finance
1543 or their designee; 1 of whom shall be the secretary of economic development or their designee; 1
1544 of whom shall be the president of the University of Massachusetts or their designee; and 6 of
1545 whom shall be appointed by the governor, 1 of whom shall be a chief executive officer of a
1546 Massachusetts-based life sciences corporation that is a member of the board of directors of the
1547 Massachusetts Biotechnology Council, 1 of whom shall be a researcher involved in the
1548 commercialization of biotechnology, pharmaceuticals, medical technology or medical diagnostic
1549 products, 1 of whom shall have significant experience in the medical device sector and shall be a
1550 member of the Massachusetts Medical Device Industry Council board of directors, 1 of whom
1551 shall have significant experience in the health equity subsector of the life sciences sector, 1 of
1552 whom shall have significant experience in the digital health subsector of the life sciences sector
1553 and 1 of whom shall be a member of the board of the Massachusetts Health and Hospital
1554 Association.

1555 (2) Each appointed member shall serve a term of 5 years; provided, however, that in
1556 making initial appointments, the governor shall appoint 1 director to serve for a term of 1 year, 1

1557 director to serve for a term of 2 years, 1 director to serve for a term of 3 years and 1 director to
1558 serve for a term of 4 years. The secretary of the executive office of administration and finance
1559 and the secretary of economic development, or their designees, shall serve as co-chairs of the
1560 board. Any person appointed to fill a vacancy in the office of an appointed director of the board
1561 shall be appointed in a like manner and shall serve for only the unexpired term of such director.
1562 Any director shall be eligible for reappointment. Any director may be removed from their
1563 appointment by the governor for cause.

1564 SECTION 40. Said section 3 of said chapter 23I is hereby further amended by striking
1565 out, in line 38, as appearing in the 2022 Official Edition, the word “Four” and inserting in place
1566 thereof the following word:- Six.

1567 SECTION 41. Said section 3 of said chapter 23I is hereby further amended by inserting
1568 after the word “center”, in line 71, as so appearing, the following words:- ; provided, however,
1569 that the president may, in their discretion, elect to appoint and employ a chief administrative and
1570 operational officer.

1571 SECTION 42. Section 4 of said chapter 23I is hereby amended by striking out the word
1572 “Investment”, in line 64, as so appearing, and inserting in place thereof the following word:-
1573 Breakthrough.

1574 SECTION 43. Subsection (a) of said section 4 of said chapter 23I, as amended by section
1575 134 of chapter 7 of the acts of 2023, is hereby further amended by inserting after clause (23) the
1576 following clause:-

1577 (23A) to disburse, appropriate, grant, loan or allocate bond proceeds to institutions of
1578 higher education, nonprofit organizations, other public or quasi-public entities in the

1579 commonwealth and certified life sciences companies; provided, that eligible grantees shall
1580 include private businesses; provided further, that grants shall be awarded and administered
1581 consistent with the strategic goals and priorities of the center; provided further, that grants
1582 administered for the purchase of equipment to be owned by, leased to or located within the
1583 premises of a private business shall be administered in support of a partnership with an
1584 institution of higher education or nonprofit corporation with a mission of supporting the life
1585 sciences in the commonwealth; provided further, that a private university or business entity shall
1586 not be eligible for a grant unless the center determines that a grant to such university or entity
1587 will result in a significant public benefit and any private benefit is incidental to a legitimate
1588 public purpose; and provided further, that grants shall be administered in a manner that promotes
1589 geographic, social, racial and economic equity;.

1590 SECTION 44. Said section 4 of said chapter 23I is hereby further amended by striking
1591 out the word “Investment”, in line 159, as appearing in the 2022 Official Edition, and inserting in
1592 place thereof the following word:- Breakthrough.

1593 SECTION 45. Said subsection (a) of said section 4 of said chapter 23I, as amended by
1594 section 134 of chapter 7 of the acts of 2023, is hereby further amended by striking out clauses
1595 (31) and (32) and inserting in place thereof the following 3 clauses:-

1596 (31) to track and report to the general court on federal initiatives that have an impact on
1597 life sciences companies doing business in the commonwealth;

1598 (32) to create award programs to acknowledge successful companies, public and private
1599 institutions and programs in industry-specific areas, as determined by the center; and

1600 (33) to convene an advisory board as may be necessary in its judgment to carry out the
1601 purposes of this chapter.

1602 SECTION 46. Subsection (c) of section 5 of said chapter 23I, as appearing in the 2022
1603 Official Edition, is hereby amended by striking out, in line 64, the word “Investment” and
1604 inserting in place thereof the following word:- Breakthrough.

1605 SECTION 47. Subsection (d) of said section 5 of said chapter 23I, as so appearing, is
1606 hereby amended by striking out, in line 92, the figure “\$30,000,000” and inserting in place
1607 thereof the following figure:- \$50,000,000.

1608 SECTION 48. Subsection (e) of said section 5 of said chapter 23I, as so appearing, is
1609 hereby amended by striking out, in line 107, the figure “5” and inserting in place thereof the
1610 following figure:- 3.

1611 SECTION 49. Said subsection (e) of said section 5 of said chapter 23I, as so appearing, is
1612 hereby further amended by striking out, in line 120, the word “shall” and inserting in place
1613 thereof the following word:- may.

1614 SECTION 50. Said chapter 23I is hereby further amended by striking out section 6 and
1615 inserting in place thereof the following section:-

1616 Section 6. (a) There shall be established and placed within the center a fund to be known
1617 as the Massachusetts Life Sciences Breakthrough Fund to finance the activities of the center. The
1618 fund shall be credited with: (i) any appropriations or other money authorized by the general court
1619 and specifically designated to be credited thereto; (ii) additional funds subject to the direction
1620 and control of the center; (iii) pension funds; (iv) federal grants or loans; (v) royalties or private

1621 investment capital which may properly be applied in furtherance of the objectives of the fund;
1622 (vi) any proceeds from the sale of qualified investments secured or held by the fund; (vii) fees
1623 and charges imposed relative to the making of qualified investments as defined by the center,
1624 secured or held by the fund; and (viii) any other money which may be available to the center for
1625 the purposes of the fund from any other source. Any funds deposited in the fund shall be
1626 available to the center for the purposes described in this section without further appropriation.
1627 All available money in the fund that is unexpended at the end of each fiscal year shall not revert
1628 to the General Fund and shall be made available for expenditure in the subsequent fiscal year.

1629 (b) The center shall invest and reinvest the fund and the income thereof only as follows:

1630 (i) making qualified investments pursuant to subsection (c);

1631 (ii) defraying the ordinary and necessary expenses of administration and operation
1632 associated with the center; provided, however, that said administrative and operational expenses
1633 shall not exceed 15 per cent of the maximum amount authorized to be expended from the fund in
1634 a fiscal year;

1635 (iii) investing any funds not required for immediate disbursement in the purchase of such
1636 securities as may be lawful investments for fiduciaries in the commonwealth;

1637 (iv) paying binding obligations associated with such qualified investments which shall be
1638 secured by the fund as the same become payable; or

1639 (v) paying principal or interest on qualified investments secured by the fund or paying
1640 any redemption premium required to be paid when such qualified investments shall be redeemed
1641 prior to maturity; provided, however, that money in the fund shall not be withdrawn at any time

1642 in such an amount as would reduce the amount of the fund to less than the minimum requirement
1643 thereof established by the board, except for the purpose of paying binding obligations associated
1644 with qualified investments which shall be secured by the fund as the same become payable.

1645 (c) The fund shall be held and applied by the center, subject to the approval of the board,
1646 to make qualified investments, grants, research and other funding and loans designed to advance
1647 the following public purposes for the life sciences in the commonwealth:

1648 (i) to stimulate increased financing for the expansion of research and development by
1649 leveraging private financing for highly productive state-of-the-art research and development
1650 facilities, equipment and instrumentation and by providing financing related thereto, including,
1651 but not limited to, financing for the construction or expansion of such new facilities;

1652 (ii) to make targeted investments, including, but not limited to, research funding, proof of
1653 concept funding and funding for the development of devices, drugs or therapeutics and to
1654 promote manufacturing activities for new or existing advanced technologies and life sciences
1655 research; provided, that funding provided for the purchase of equipment to be owned by, leased
1656 to or located within the premises of a private businesses shall be made in support of a partnership
1657 with an institution of higher education or nonprofit corporation with a mission of supporting the
1658 life sciences in the commonwealth; provided further, that a private university or business entity
1659 shall not be eligible for funding unless the center determines that such funding will result in a
1660 significant public benefit and any private benefit is incidental to a legitimate public purpose; and
1661 provided further, that grants shall be awarded in a manner that promotes geographic, social,
1662 racial and economic equity;

1663 (iii) to make matching grants to colleges, universities, independent research institutions,
1664 nonprofit entities, public instrumentalities, companies and other entities in connection with
1665 support from the federal government, industry and other grant-funding sources related to the
1666 expansion of research and development and to increase and strengthen economic development,
1667 employment opportunities and commercial and industrial sectors in the field of life sciences;

1668 (iv) to provide bridge financing to colleges, universities, independent research
1669 institutions, nonprofit entities, public instrumentalities, companies and other entities for the
1670 receipt of grants as described in clause (iii) awarded or to be awarded by the federal government,
1671 industry or other sources;

1672 (v) to provide fellowships, co-ops, high school internships, for which additional
1673 consideration shall be given to minority students at schools where at least 80 per cent of the
1674 student population is eligible for free or reduced lunch, college internships, for which additional
1675 consideration shall be given to minority students enrolled full-time or part-time at a community
1676 college, loans and grants;

1677 (vi) to provide workforce training grants to prepare individuals for life sciences careers;

1678 (vii) to provide funding for development, coordination and marketing of higher education
1679 programs; and

1680 (viii) to make qualified grants to certified life sciences companies for site remediation,
1681 preparation and ancillary infrastructure improvement projects.

1682 (d) Proceeds of the fund may be used by the center to fund life sciences initiatives,
1683 including, but not limited to:

- 1684 (i) international trade initiatives;
- 1685 (ii) qualified grants and equity investments to further workforce development and
1686 education in the life sciences and to promote a diverse life sciences workforce in the
1687 commonwealth;
- 1688 (iii) activities that facilitate the transfer of technology from the commonwealth's research
1689 institutions to the commonwealth's life science industries for productive use by such industries
1690 and to make targeted investments in proof of concept funding for emerging technologies;
- 1691 (iv) a program to promote the research and development of plant-made pharmaceuticals
1692 and industrial products through field trials, in collaboration with the department of agricultural
1693 resources;
- 1694 (v) initiatives to promote the research, development, adoption and productive application
1695 of artificial intelligence within the commonwealth's life science industries;
- 1696 (vi) initiatives to promote health equity, including programs that help identify and
1697 address preventable disproportion and differences in the burden of disease or opportunities to
1698 achieve optimal health, experienced by populations that have been disadvantaged by their social
1699 or economic status, geographic location or environment;
- 1700 (vii) initiatives to promote the efficient collection, storage and sharing of biological
1701 samples and health information to assist with research and development of new treatments for
1702 disease or otherwise improve patient outcomes;
- 1703 (viii) initiatives to promote biomanufacturing and supply chain resiliency in the life
1704 sciences in the commonwealth;

1705 (ix) initiatives to promote diversity and equity in life sciences entrepreneurship; and

1706 (x) a program to make qualified equity investments in early-stage life sciences companies

1707 and enterprises seeking to raise seed capital; provided, however, that qualified equity

1708 investments shall not exceed \$250,000 in any 1 enterprise; and provided further, that the center

1709 shall not make such qualified equity investments unless the investment has been approved by a

1710 majority vote of the board, the recipient is a life sciences company certified pursuant to section 5

1711 and the center finds, to the extent possible, that a definite benefit to the commonwealth's

1712 economy may reasonably be expected from the qualified investment. In evaluating a request or

1713 application for a qualified equity investment, the center shall consider whether:

1714 (A) the proceeds of the equity investment shall only be used to cover the seed capital

1715 needs of the enterprise except as hereinafter authorized;

1716 (B) the enterprise has a reasonable chance of success;

1717 (C) the center's participation is necessary to the success of the enterprise because funding

1718 for the enterprise is unavailable in the traditional capital markets or contingent upon matching

1719 funds or because funding has been offered on terms that would substantially hinder the success

1720 of the enterprise;

1721 (D) the enterprise has reasonable potential to create a substantial amount of primary

1722 employment in the commonwealth;

1723 (E) the enterprise's principals have made or are prepared to make a substantial financial

1724 and time commitment to the enterprise; and

1725 (F) a reasonable effort has been made to find a professional investor to invest in the
1726 enterprise and such effort was successful.

1727 (e)(1) The center shall not make a qualified investment pursuant to subsection (c) unless:

1728 (i) the investment has been approved by a majority vote of the board;

1729 (ii) the recipient is a certified life sciences company pursuant to section 5 or a project or
1730 initiative listed in subsection (d);

1731 (iii) the securities to be purchased shall be qualified securities;

1732 (iv) there shall be a reasonable possibility that the center shall, at a minimum, recoup its
1733 initial investment;

1734 (v) binding commitments have been made to the center by the enterprise for adequate
1735 reporting of financial data to the center, including, but not limited to, a requirement for an annual
1736 or other periodic audit of the books of the enterprise, and for such control on the part of the
1737 center as the board shall consider prudent over the management of the enterprise, to protect the
1738 investment of the center, including, but not limited to, the board's right to access financial and
1739 other records of the enterprise; and

1740 (vi) the center finds, to the extent possible, that a definite benefit to the commonwealth's
1741 economy may reasonably be expected from the qualified investment; provided, that in evaluating
1742 a request or application for funding, the center shall consider the following:

1743 (A) the appropriateness of the project;

1744 (B) whether the project has significant potential to expand employment;

1745 (C) the project’s potential to enhance technological advancements;

1746 (D) the project’s potential to lead to a breakthrough medical treatment for a particular
1747 disease or medical condition;

1748 (E) the project’s potential for leveraging additional funding or attracting resources to the
1749 commonwealth;

1750 (F) the project’s potential to promote manufacturing in the commonwealth; and

1751 (G) evidence of potential royalty income and contractual means to recapture such income
1752 for the purposes of this chapter, as the center considers appropriate;

1753 (vii) to the extent the investment is a capital investment made pursuant to clause (viii) of
1754 subsection (c), the investment has been approved by the secretary of administration and finance
1755 upon request of the center; provided, however, that said request shall be submitted to the
1756 secretary of administration and finance in writing and shall include, but shall not be limited to:

1757 (A) a description of the project or program to be funded;

1758 (B) the economic benefits to the commonwealth which can reasonably be expected from
1759 the project or program;

1760 (C) a copy of the proposed contract or other document executing the transaction between
1761 the center and the recipient of the funds;

1762 (D) a description of the contractual or other legal remedies available to the center upon
1763 non-performance of the contract or other document executing the transaction by the recipient,

1764 including, but not limited to, any provisions for restitution or reimbursement of the funds
1765 granted, loaned or otherwise invested in or with the recipient; and

1766 (E) any other information as the secretary of administration and finance may determine;
1767 and

1768 (viii) the qualified investment conforms with the rules approved by the board.

1769 (2) Rules approved by the board shall set the terms and conditions for investments that
1770 shall constitute qualified investments, including, but not limited to, loans, guarantees, loan
1771 insurance or reinsurance, equity investments, grants awarded pursuant to clause (iii) of
1772 subsection (c), other financing or credit enhancing devices, as established by the center directly
1773 or on its own behalf or in conjunction with other public instrumentalities, or private institutions
1774 or the federal government. The rules shall provide that qualified investments made pursuant to
1775 clauses (i) and (ii) of said subsection (c) shall involve a transaction with the participation of at
1776 least 1 at-risk private party; provided, that the rules approved by the board shall establish the
1777 terms, procedures, standards and conditions which the center shall employ to identify qualified
1778 applications, process applications, make investment determinations, safeguard the fund, advance
1779 the objective of increasing employment opportunities, oversee the progress of qualified
1780 investments and secure the participation of other public instrumentalities, private institutions or
1781 the federal government in qualified investments; and provided further, that the rules shall provide
1782 for negotiated intellectual property agreements between the center and a qualified investment
1783 recipient which shall include, but shall not be limited to, the terms and conditions by which the
1784 fund's support may be reduced or withdrawn.

1785 (f) The center may solicit investments by private institutions or investors in the activities
1786 of the fund and may reach agreements with such private institutions or investors regarding the
1787 terms of any such investments, including, but not limited to, the rights of such investors to
1788 participate in the income or appropriation of the fund. To further the objective of securing
1789 investments by private institutions or investors in the activities of the fund pursuant to the
1790 preceding sentence, the center may develop a proposal creating a separate investment entity
1791 which shall permit the commingling of the fund's resources with the maximum participation by
1792 such private institutions or investors in a manner consistent with the public purpose of the fund
1793 and under the terms and conditions established to protect and preserve the assets of the fund.

1794 (g) Copies of the approved rules, and any modifications, shall be submitted to the clerks
1795 of the house of representatives and the senate, who shall forward the same to the house and
1796 senate committees on ways and means and the joint committee on economic development and
1797 emerging technologies.

1798 (h) Qualified investment transactions made by the center pursuant to this section shall
1799 not, except as specified in this chapter, be subject to chapter 175, or any successor thereto, and
1800 shall be payable solely from the fund and shall not constitute a debt or pledge of the full faith and
1801 credit of the commonwealth, the center or any subdivision of the commonwealth.

1802 (i) The center shall not make expenditures from or a commitment of the assets of the
1803 fund, including, but not limited to, the making of qualified investments secured by the fund, if
1804 following the making of said qualified investment, the amount of the fund shall be less than the
1805 minimum requirement established by the board.

1806 SECTION 51. Subsection (a) of section 7 of said chapter 23I, as appearing in the 2022
1807 Official Edition, is hereby amended by adding the following sentence:- The center may, in its
1808 discretion, transfer funds from the Massachusetts Life Sciences Breakthrough Fund established
1809 in section 6 to the Dr. Craig C. Mello Small Business Equity Investment Fund to advance the
1810 purposes of this section.

1811 SECTION 52. Subsection (a) of section 8 of said chapter 23I, as so appearing, is hereby
1812 amended by adding the following sentence:- The center may, in its discretion, transfer funds
1813 from the Massachusetts Life Sciences Breakthrough Fund established in section 6 to the Dr.
1814 Judah Folkman Higher Education Grant Fund to advance the purposes of this section.

1815 SECTION 53. Sections 9, 10 and 12 of said chapter 23I are hereby repealed.

1816 SECTION 54. Section 15 of said chapter 23I, as appearing in the 2022 Official Edition, is
1817 hereby amended by striking out, in line 18, the words “October 1”, and inserting in place thereof
1818 the following words:- December 31.

1819 SECTION 55. Section 1 of chapter 23J of the General Laws, as so appearing, is hereby
1820 amended by inserting after the definition of “Clean energy research” the following 3 definitions:-

1821 “Certified climatetech company”, climatetech company certified pursuant to subsection
1822 (b) of section 16.

1823 “Climatetech”, clean energy and other advanced and applied technologies that contribute
1824 to the decarbonization of the economy, reduce and mitigate greenhouse gas emissions, or
1825 mitigate the impacts of climate change through adaptation, resiliency and environmental
1826 sustainability.

1827 “Climatetech company”, a business corporation, partnership, firm, unincorporated
1828 association or other entity engaged in research, development, innovation, manufacturing,
1829 deployment or commercialization of climatetech technologies in the commonwealth and any
1830 affiliate thereof, which is, or the members of which are, subject to taxation under chapter 62, 63,
1831 64H or 64I.

1832 “Climatetech research”, clean energy research, advanced and applied research in new
1833 climatetech technologies.

1834 SECTION 56. Section 2 of said chapter 23J is hereby amended by striking out, in lines
1835 16, 17, 23, 24, 25 and 26, 30, 36, 39, 54, 55, 88 and 89, 90 and 102, as so appearing, the words
1836 “clean energy”, each time they appear, and inserting in place thereof, in each instance, the
1837 following word:- climatetech.

1838 SECTION 57. Said section 2 of said chapter 23J is hereby further amended by striking
1839 out, in line 32, as so appearing, the word “clean” and inserting in place thereof the following
1840 word:- climatetech.

1841 SECTION 58. Section 3 of said chapter 23J, as so appearing, is hereby amended by
1842 striking out, in lines 14, 37, 72, 87, 90, 92, 109, 112, 113, 131 to 132, 136, 141, 169, 170 to 171,
1843 171, 177, 179, the words “clean energy”, each time they appear, and inserting in place thereof, in
1844 each instance, the following word:- climatetech.

1845 SECTION 59. Section 5 of said chapter 23J, as so appearing, is hereby amended by
1846 striking out, in lines 26 and 28, the words “clean energy”, each time they appear, and inserting in
1847 place thereof, in each instance, the following word:- climatetech.

1848 SECTION 60. Section 7 of said chapter 23J, as so appearing, is hereby amended by
1849 striking out, in lines 2, 3 and 7, the words “clean energy”, each time they appear, and inserting in
1850 place thereof, in each instance, the following word:- climatetech.

1851 SECTION 61. Section 8 of said chapter 23J, as so appearing, is hereby amended by
1852 striking out, in lines 10, 14, 32 and 34, the words “clean energy”, each time they appear, and
1853 inserting in place thereof, in each instance, the following word:- climatetech.

1854 SECTION 62. Section 9 of said chapter 23J, as so appearing, is hereby amended by
1855 inserting after the words “renewable energy”, in lines 24, 26, 28, 29, 31, 32, 36, 41 54, 97, 105
1856 and 134, each time they appear, the following words:- and climatetech.

1857 SECTION 63. Said section 9 of said chapter 23J, as so appearing, is hereby further
1858 amended by inserting after the words “clean energy”, in lines 52 and 58, each time they appear,
1859 the following words:- and climatetech.

1860 SECTION 64. Subsection (d) of said section 9 of said chapter 23J, as so appearing, is
1861 hereby amended by striking out, in lines 78 to 86, inclusive, the words “industry; (ii) the use of
1862 renewable energy by electricity customers in the commonwealth; (iii) public education and
1863 training regarding renewable energy including, but not limited to, promoting programs and
1864 investments that lead to pathways toward economic self-sufficiency for low- and moderate-
1865 income individuals and communities in the clean energy industry; (iv) product and market
1866 development; (v) pilot and demonstration projects and other activities designed to increase the
1867 use and affordability of renewable energy” and inserting in place thereof the following words:-
1868 and climatetech industry; (ii) the use of renewable energy by electricity customers in the
1869 commonwealth; (iii) public education and training regarding renewable energy and climatetech,

1870 including, but not limited to, promoting programs and investments that lead to pathways toward
1871 economic self-sufficiency for low- and moderate-income individuals and communities in the
1872 clean energy and climatetech industry; (iv) product and market development; (v) pilot and
1873 demonstration projects and other activities designed to increase the use and affordability of
1874 renewable energy and climatetech.

1875 SECTION 65. Said section 9 of said chapter 23J, as so appearing, is hereby further
1876 amended by inserting after the word “projects”, in line 123, the following words:- ; provided,
1877 that climatetech technologies eligible for assistance shall be consistent with the definition of
1878 climatetech as set forth in section 1.

1879 SECTION 66. Section 9A of said chapter 23J, as so appearing, is hereby amended by
1880 striking out, in line 84, the word “and”.

1881 SECTION 67. Subsection (b) of said section 9A of said chapter 23J, as so appearing, is
1882 hereby amended by striking out clause (12) and inserting in place thereof the following 3
1883 clauses:-

1884 (12) promote jobs, economic and workforce development through capital grants to
1885 companies and governmental entities for the purpose of supporting and stimulating research, and
1886 development, innovation, manufacturing, commercialization and deployment of offshore wind in
1887 the commonwealth;

1888 (13) provide for the necessary and reasonable administrative and personnel costs of the
1889 center or of the executive office of energy and environmental affairs related to administering the
1890 fund; and

1891 (14) otherwise further the public purposes set forth in this section.

1892 SECTION 68. Section 10 of said chapter 23J, as so appearing, is hereby amended by
1893 striking out, in lines 3 and 6, the words “clean energy”, each time they appear, and inserting in
1894 place thereof, in each instance, the following word:- climatetech.

1895 SECTION 69. Section 13 of said chapter 23J, as so appearing, is hereby amended by
1896 striking out, in lines 1, 6, 7, 13, 14 to 15, 17, 18, 20, 23 to 24, 24, 26, 33 to 34, 34, 36 to 37, 42,
1897 44, 49, 56, 64 and 75, the words “clean energy”, each time they appear, and inserting in place
1898 thereof, in each instance, the following word:- climatetech.

1899 SECTION 70. Section 15 of said chapter 23J, as so appearing, is hereby amended by
1900 striking out, in lines 2 and 71, the words “Clean Energy”, each time they appear, and inserting in
1901 place thereof in each instance the following word:- Climatetech.

1902 SECTION 71. Said section 15 of said chapter 23J, as so appearing, is hereby further
1903 amended by striking out, in lines 8, 18, 21, 22, 25, 30 to 31, 35 to 36, 38, 40, 42, 44 to 45 and 47,
1904 the words “clean energy”, each time they appear, and inserting in place thereof in each instance
1905 the following word:- climatetech.

1906 SECTION 72. Said section 15 of said chapter 23J, as so appearing, is hereby further
1907 amended by striking out, in line 47, the word “and”.

1908 SECTION 73. Subsection (b) of said section 15 of said chapter 23J, as so appearing, is
1909 hereby amended by striking out clause (x) and inserting in place thereof the following 2 clauses:-

1910 (x) promoting jobs, economic and workforce development through capital grants to
1911 companies and governmental entities for the purpose of supporting and stimulating research and

1912 development, innovation, manufacturing, commercialization and deployment of climatetech
1913 technologies in the commonwealth; and

1914 (xi) providing for the necessary and reasonable administrative and personnel costs of the
1915 center or of the executive office of energy and environmental affairs related to administering the
1916 fund.

1917 SECTION 74. Said chapter 23J is hereby further amended by adding the following
1918 section:-

1919 Section 16. (a) There shall be established and placed within the center a climatetech tax
1920 incentive program that shall be administered by the center. The purpose of the program shall be
1921 to develop and expand climatetech related employment opportunities in the commonwealth and
1922 to promote climatetech related economic development in the commonwealth by supporting and
1923 stimulating research, development, innovation, manufacturing and deployment in the climatetech
1924 sector. A climatetech company certified pursuant to subsection (b) shall be eligible for
1925 participation in the program.

1926 (b) The center may, upon a majority vote of the board, certify a climatetech company as
1927 eligible upon: (i) the timely receipt, as determined by the center, of a certification proposal
1928 supported by independently verifiable information, signed under the pains and penalties of
1929 perjury by a person expressly authorized to contract on behalf of the climatetech company and
1930 shall include, but shall not be limited to, an estimate of the projected new state revenue the
1931 climatetech company expects to generate during the period for which the company seeks
1932 certification, together with a plan that shall include, but shall not be limited to: (A) precise goals
1933 and objectives, by which the climatetech company proposes to achieve the projected new state

1934 revenue; (B) an estimate of the number of permanent full-time employees to be hired or retained;
1935 (C) an estimate of the year in which the company expects to hire or retain the employees; (D) an
1936 estimate of the projected average salaries of said employees; (E) an estimate of the projected
1937 taxable income pursuant to chapter 62 generated by said employees; (F) an estimate of the
1938 methods by which the company shall obtain new employees and pursue a diverse workforce; and
1939 (G) if applicable, an estimate of the company's planned capital investment in the commonwealth;
1940 and (ii) findings made by the center, based on the certification proposal, documents submitted
1941 therewith and any additional investigation by the center that shall be incorporated in its approval,
1942 that: (1) the climatetech company is likely to contribute substantially to research, development,
1943 innovation, manufacturing, commercialization or deployment of climatetech in the
1944 commonwealth; (2) the climatetech company has a substantial likelihood of meeting all statutory
1945 requirements and any other criteria that the center may prescribe, including, but not limited to,
1946 criteria in the following areas: (A) leveraging additional funding or attracting additional
1947 resources to the commonwealth; (B) increasing research, development, innovation,
1948 manufacturing, commercialization or deployment of climate technologies within the
1949 commonwealth; and (C) creating employment in the commonwealth; and (3) the climatetech
1950 company has a substantial likelihood of meeting its state revenue, employment growth and
1951 applicable capital investment projections, as specified in the certification proposal, over the
1952 period for which it receives benefits.

1953 (c)(1) Certification granted pursuant to subsection (b) shall be valid for 5 years starting
1954 with the tax year in which certification is granted. Each certified climatetech company shall file
1955 an annual report with the center certifying whether it has met the specific targets established in

1956 the proposal pursuant to clause (i) of subsection (b) and, if not, detailing its progress towards
1957 those targets.

1958 (2) The certification of a climatetech company may be revoked by the center after an
1959 investigation by the center and a determination that the climatetech company is in material
1960 noncompliance with its certification proposal; provided, however, that the center shall review
1961 said certified climatetech company at least annually. Revocation shall take effect on the first day
1962 of the tax year in which the center determines the certified climatetech company to be in material
1963 noncompliance. The commissioner of revenue shall, as of the effective date of the revocation,
1964 disallow any credits allowed by the original certification of tax benefits under this section. The
1965 commissioner of revenue shall issue regulations to establish a process to recapture the value of
1966 any credits allowed by the certification under this section. For the purposes of this paragraph,
1967 “material noncompliance” shall mean the failure of a certified climatetech company to
1968 substantially achieve the new state revenue, job growth and capital investment projections set
1969 forth in its certification proposal or any other act, omission or misrepresentation by the certified
1970 climatetech company that frustrates the public purpose of the climatetech tax incentive program.

1971 (3) Nothing in this subsection shall limit any legal remedies available to the
1972 commonwealth against any certified climatetech company.

1973 (d)(1) The center, in consultation with the department of revenue, may annually authorize
1974 incentives, including those established in subsections (ff) and (gg) of section 6 of chapter 62,
1975 subsection (j) of section 38M of chapter 63, section 38PP of said chapter 63, section 38QQ of
1976 said chapter 63, section 38RR of said chapter 63, the second paragraph of subsection (c) of
1977 section 42B of said chapter 63 and subsection (yy) of section 6 of chapter 64H, that shall not

1978 exceed \$30,000,000 annually. The center, in consultation with the department of revenue, may
1979 limit the incentives to a specific dollar amount or time duration or in any other manner deemed
1980 appropriate by the department of revenue; provided, however, that the department of revenue
1981 shall only allocate the incentives among certified climatetech companies.

1982 (2) The center, in consultation with the department of revenue, shall provide an estimate
1983 to the secretary of administration and finance of the tax cost of extending benefits to a proposed
1984 project before certification, as approved by the commissioner of revenue, based on reasonable
1985 projections of project activities and costs. Tax incentives shall not be available to a certified
1986 climatetech company unless expressly granted by the secretary of administration and finance in
1987 writing.

1988 SECTION 75. Section 18 of chapter 23N of the General Laws, as most recently amended
1989 by section 137 of chapter 7 of the acts of 2023, is hereby further amended by striking out
1990 subsections (b) and (c) and inserting in place thereof the following subsections:-

1991 (b) The fund shall be administered by the secretary of economic development. Money in
1992 the fund shall be competitively granted pursuant to existing workforce development programs
1993 that develop and strengthen workforce opportunities for low-income communities or vulnerable
1994 youth and young adults in the commonwealth, including providing opportunities and strategies to
1995 promote stable employment and wage growth, or competitively granted to eligible recipients
1996 described in subsection (c).

1997 (c) Eligible grant recipients shall provide opportunities that: (i) target at risk youth,
1998 including resources to empower youth to succeed in the workforce; (ii) provide job skills
1999 trainings, including programs offering trainings in multiple languages and areas for development,

2000 including education and hands on skills; (iii) promote adult literacy, including strategies to
2001 master reading and writing and providing digital formats to increase accessibility; and (iv)
2002 provide English language learning programs to promote access to the workforce; provided,
2003 however, that as an alternative, eligible grant recipients may provide opportunities that: (A)
2004 provide job skills trainings, including education and hands-on skills for individuals with
2005 intellectual, developmental or physical disabilities; or (B) facilitate work permits, professional
2006 credentialing or other workforce opportunities for non-citizens permanently residing under color
2007 of law or otherwise lawfully present in the commonwealth. The secretary of economic
2008 development shall establish criteria to evaluate applications for the grant program; provided, that
2009 the criteria shall include, but shall not be limited to, at risk populations; provided further, that
2010 preference shall be given to eligible grant recipients providing opportunities for individuals who
2011 meet at least 2 of the following: (i) is under 30 years of age; (ii) is a victim of violence; (iii) is
2012 over 18 years of age and does not have a high school diploma; (iv) has been convicted of a
2013 felony; (v) has been unemployed or has had a family income below 250 per cent of the federal
2014 poverty level for not less than 6 months; (vi) lives in a census tract where over 20 per cent of the
2015 populations fall below the federal poverty line; (vii) is an immigrant, refugee or person of color;
2016 or (viii) is an individual with an intellectual, developmental or physical disability.

2017 SECTION 76. Chapter 29 of the General Laws is hereby amended by striking out section
2018 2AAAA and inserting in place thereof the following section:-

2019 Section 2AAAA. There shall be established and set up on the books of the
2020 commonwealth a separate fund to be known as the State Athletic Commission Fund to be
2021 administered by the commissioner of occupational licensure. The fund shall consist of any
2022 money from licensing fees or other fees and fines collected under sections 32 to 35, inclusive,

2023 sections 40, 40A and 42 of chapter 147 and section 12 of chapter 265. Not more than \$500,000
2024 in each fiscal year shall be expended, without further appropriation, by the commissioner of
2025 occupational licensure for the costs of operating and administering the state athletic commission.
2026 Any amount credited to the fund that exceeds \$500,000 shall be deposited into the General Fund.
2027 For the purposes of accommodating discrepancies between the receipt of retained revenues and
2028 related expenditures, the division of occupational licensure may incur expenses and the
2029 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
2030 most recent revenue estimate as reported in the state accounting system.

2031 SECTION 77. Section 29K of said chapter 29, as appearing in the 2022 Official Edition,
2032 is hereby amended by adding the following subsection:-

2033 (h) Notwithstanding any general or special law to the contrary, the board of directors of a
2034 state authority may meet independently of management or in executive session to discuss matters
2035 pertaining to the audit or compensation committees.

2036 SECTION 78. Section 1 of chapter 30B of the General Laws, as so appearing, is hereby
2037 amended by adding the following subsection:-

2038 (g) Notwithstanding section 39M of chapter 30, or any general or special law to the
2039 contrary, a governmental body may, in a single procurement in accordance with section 5,
2040 procure: (i) broadband internet service; (ii) the design, installation, maintenance and operation of
2041 fiber optic cables and other equipment to provide broadband internet service to a public building
2042 or buildings; (iii) the design, installation, maintenance and operation of a wireless
2043 communication network for a public building or public land; or (iv) any combination of the
2044 foregoing. All such fiber optic cables, wireless network equipment and other physical

2045 improvements designed, installed, maintained and operated pursuant to such procurement shall
2046 be considered supplies.

2047 SECTION 78A. Section 1 of chapter 31 of the General Laws, as so appearing, is hereby
2048 amended by striking out, in lines 4 to 6, inclusive, the words “personnel administrator of the
2049 human resources division within the executive office for administration and finance” and
2050 inserting in place thereof the following words:- agency head or chief human resources officer of
2051 the human resources division within the executive office for administration and finance or a
2052 delegated agent.

2053 SECTION 78B. Said section 1 of said chapter 31, as so appearing, is hereby further
2054 amended by striking out, in lines 18 to 21, inclusive, the words “(e) assuring fair treatment of all
2055 applicants and employees in all aspects of personnel administration without regard to political
2056 affiliation, race, color, age, national origin, sex, marital status, handicap,” and inserting in place
2057 thereof the following words:- (e) notwithstanding potential remedies provided by any other laws
2058 that prohibit discrimination in employment, assuring fair treatment of all applicants and
2059 employees in all aspects of personnel administration without regard to political affiliation, race,
2060 color, age, national origin, sex, marital status, military status, disability, sexual orientation,
2061 gender identity.

2062 SECTION 78C. Said section 1 of said chapter 31, as so appearing, is hereby further
2063 amended by striking out, in line 44, the words ““Department” or “division”” and inserting in
2064 place thereof the following word:- “Division”.

2065 SECTION 78D. Said section 1 of said chapter 31, as so appearing, is hereby further
2066 amended by inserting after the definition “Departmental unit” the following definition:-

2067 “Disability”, any condition or characteristic, physical or mental, which substantially
2068 limits one or more major life activities; or a record of such impairment; or the external
2069 manifestations of such impairment.

2070 SECTION 78E. Said section 1 of said chapter 31, as so appearing, is hereby further
2071 amended by inserting after the word “examination”, in line 71, the following words:- , where
2072 required by the rules of the administrator,.

2073 SECTION 78F. Said section 1 of said chapter 31, as so appearing, is hereby further
2074 amended by striking out, in line 82 to 85, inclusive, the definition of “Handicap”.

2075 SECTION 78G. Said section 1 of said chapter 31, as so appearing, is hereby further
2076 amended, by striking out, in lines 94 and 95 the words “six or section twenty-eight” and inserting
2077 in place thereof the following words:- 6, 6D or 28.

2078 SECTION 78H. Subsection (b) of section 2 of said chapter 31, as so appearing, is hereby
2079 amended by striking out the third and fourth paragraphs and inserting in place thereof the
2080 following 2 paragraphs:-

2081 The appeal shall be accompanied by such form as the commission may prescribe
2082 containing a statement of the allegations that form the basis of the aggrieved person’s appeal
2083 with specific reference to the provisions of this chapter or the rules of the administrator or basic
2084 merit principles that have been violated, together with an explanation of how the person has been
2085 harmed.

2086 Hearings on any appeal pending before the commission may be held before any member
2087 thereof, who shall report their findings of fact and recommendations to the commission for its

2088 action. Alternatively, the chair of the commission may appoint as hearing officer any other
2089 disinterested person who is experienced in adjudication or well-versed in the provisions of this
2090 chapter; provided, that upon the conclusion of any such hearing, and consistent with the
2091 provisions governing tentative decisions set forth in the Standard Adjudicatory Rules of Practice
2092 and Procedure, the assigned hearing officer shall report their findings of fact and
2093 recommendations to the commission for its action.

2094 SECTION 78I. Said section 2 of said chapter 31, as so appearing, is hereby further
2095 amended by inserting after the figure “31A”, in line 49, the following words:- or this chapter.

2096 SECTION 78J. Said section 2 of said chapter 31, as so appearing, is hereby further
2097 amended by striking out subsections (d) to (g), inclusive, and inserting in place thereof the
2098 following 5 subsections:-

2099 (d) To hear and decide appeals concerning performance evaluations or performance
2100 audits conducted by the administrator, as provided by this chapter or chapter 31A.

2101 (e) To award reasonable attorneys’ fees and costs up to \$25,000 to an appellant who
2102 prevails in an appeal brought under this chapter, upon an express finding of either bad faith on
2103 the part of the appointing authority or an egregious or willfully repeated violation of this chapter,
2104 unless special circumstances would render such an award in full unjust.

2105 (f) To recommend any proposed rule changes to the administrator it feels would be
2106 consistent with basic merit principles outlined in this chapter and would be in the public interest.

2107 (g) To adopt such rules of procedure as necessary for the conduct of its proceedings.

2108 (h) To close all or a portion of a hearing or proceeding conducted by the commission
2109 pursuant to this chapter, and to make such orders deemed necessary to protect the privacy of a
2110 person's health or other acutely sensitive or confidential information.

2111 SECTION 78K. Section 4 of said chapter 31, as so appearing, is hereby amended by
2112 striking out, in lines 12 and 13 and 27, the words "in one or more newspapers" and inserting in
2113 place thereof the following words:- on the websites of the administrator and the commission.

2114 SECTION 78L. Said section 4 of said chapter 31, as so appearing, is hereby further
2115 amended by inserting after the word "copy", in line 23, the following words:- or transmit the
2116 entire revised set of rules via electronic media.

2117 SECTION 78M. Section 5 of said chapter 31, as so appearing, is hereby amended by
2118 striking out, in line 30, the words "handicapped persons" and inserting in place thereof the
2119 following words:- persons with disabilities.

2120 SECTION 78N. Said section 5 of said chapter 31, as so appearing, is hereby further
2121 amended by striking out, in line 33, the word "handicapped" and inserting in place thereof the
2122 following words:- persons with disabilities.

2123 SECTION 78O. Section 6 of said chapter 31, as so appearing, is hereby amended by
2124 striking out, in lines 10 and 11, the words "twenty-six, forty, forty-seven, fifty-six, and sixty"
2125 and inserting in place thereof the following words:- 6D, 26, 40, 47, 56 and 60.

2126 SECTION 78P. Section 6A of said chapter 31, as so appearing, is hereby amended by
2127 striking out, in line 15, the word "department" and inserting in place thereof the following word:-
2128 division.

2129 SECTION 78Q. Said chapter 31 is hereby further amended by inserting after section 6C
2130 the following section:-

2131 Section 6D. Notwithstanding any general or special law to the contrary, the administrator
2132 may approve the original appointments of a municipal appointing authority sanctioned by
2133 sections 59A, 59B or 59C; provided, that the administrator’s role in facilitating such alternative
2134 original appointments shall not serve as the predicate for any claim asserted against the
2135 administrator under chapter 151B.

2136 SECTION 78R. Section 6D of said chapter 31, as inserted by section 78Q, is hereby
2137 repealed.

2138 SECTION 78S. Section 20 of said chapter 31, as appearing in the 2022 Official Edition,
2139 is hereby amended by striking out, in lines 5 and 6, the words “not exceeding ten dollars,”.

2140 SECTION 78T. Said section 20 of said chapter 31, as so appearing, is hereby further
2141 amended by striking out the second through fourth paragraphs, inclusive.

2142 SECTION 78U. The fourth paragraph of section 21 of said chapter 31, as so appearing, is
2143 hereby amended by striking out the last sentence and inserting in place thereof the following
2144 sentence:- The administrator shall notify the Massachusetts commission against discrimination
2145 when it issues a certification with this limitation.

2146 SECTION 78V. Said section 21 of said chapter 31, as so appearing, is hereby further
2147 amended by adding the following paragraph:-

2148 The administrator may limit eligibility to appear on a certification for an original
2149 appointment to persons who are fluent in a specified foreign language commonly spoken among

2150 the constituency to be served if the appointing authority requests such limitation in its
2151 requisition. For public safety departments that have entered into an agreement with the
2152 administrator to facilitate alternative pathway appointments under section 59A, at the end of the
2153 hiring cycle as defined by such agreement, any appointment to a municipal public safety position
2154 that resulted in the non-selection of another candidate entitled to a preference under section 26
2155 and such other candidate would have been appointed but for the limitation of the special
2156 certification requiring foreign language fluency, the appointment shall be deemed by the local
2157 appointing authority to be pursuant to sections 59A and 59D if said restriction on the basis of
2158 foreign language fluency yielded an appointment of a candidate not entitled to any statutory
2159 preference.

2160 SECTION 78W. Section 24 of said chapter 31, as so appearing, is hereby amended by
2161 inserting after the word “questions”, in lines 3 to 4, the following words:- or training and
2162 experience sheet.

2163 SECTION 78X. Said section 24 of said chapter 31, as so appearing, is hereby further
2164 amended by striking out, in line 14, the words “, within thirty days,” and inserting in place
2165 thereof the following words:- shall forthwith.

2166 SECTION 78Y. Section 25 of said chapter 31, as so appearing, is hereby amended by
2167 striking out, in line 21, the words “last examination taken” and inserting in place thereof the
2168 following words:- highest examination score achieved.

2169 SECTION 78Z. Said section 25 of said chapter 31, as so appearing, is hereby further
2170 amended by striking out, in line 51, the words “shall nullify an appointment of such person” and
2171 inserting in place thereof the following words:- may, in the administrator’s discretion, nullify an

2172 appointment of such person; provided, however, that the name of a person who has been certified
2173 to an appointing authority for an entry-level position and who is under consideration for
2174 appointment shall remain in effect until the hiring process is completed by the appointing
2175 authority and any notice of appointment submitted to the administrator.

2176 SECTION 78AA. Section 27 of said chapter 31, as so appearing, is hereby amended by
2177 inserting after the word “accept”, in line 3, the following words:- a promotional.

2178 SECTION 78BB. Said section 27 of said chapter 31, as so appearing, is hereby further
2179 amended by striking out, in line 5, the word “If” and inserting in place there of the following
2180 words:- In the case of either an original or promotional vacancy, if.

2181 SECTION 78CC. The first paragraph of said section 27 of said chapter 31, as so
2182 appearing, is hereby further amended by adding the following sentence:- If the administrator or
2183 an appointing authority delegated by the administrator, applying the formula for original
2184 appointments set out in the rules of the administrator, certifies from an eligible list the names of
2185 persons who are qualified and willing to accept an original appointment, the appointing
2186 authority, pursuant to the civil service law and rules, may appoint only from among such
2187 persons; provided, however, that for each such person, if any, who is bypassed or rejected as not
2188 being in compliance with applicable entrance requirements or who withdraws from the
2189 application process, the appointing authority may appoint from among a group that includes the
2190 next highest-ranked person on the certification; and provided further, that the administrator or an
2191 appointing authority delegated by the administrator shall not include the name of any person who
2192 has been so bypassed or rejected on any future certification from the same original appointment
2193 eligible list unless directed to do so by the commission.

2194 SECTION 78DD. Said section 27 of said chapter 31, as so appearing, is hereby further
2195 amended by striking out the second paragraph and inserting in place thereof the following
2196 paragraph:-

2197 If an appointing authority makes an original or promotional appointment from a
2198 certification of any qualified person other than the qualified person whose name appears highest,
2199 and the person whose name ranks highest on the certification is willing to accept such
2200 appointment, the appointing authority shall immediately provide to the person who ranked
2201 highest a written statement of the reasons for appointing the person whose name was not highest
2202 and such appointment shall be effective only when such statement of reasons has been provided.
2203 This written statement shall notify the bypassed individual of their right to appeal to the
2204 commission, should the reasons proffered not be deemed by the individual sound and sufficient,
2205 within 60 days of issuance of the statement of reasons. In response to a public records request,
2206 the appointing authority shall make a copy of such statement available for inspection.

2207 SECTION 78EE. Section 33 of said chapter 31, as so appearing, is hereby amended by
2208 striking out, in lines 5 to 6, the word “department” and inserting in place thereof the following
2209 word:- departmental.

2210 SECTION 78FF. Section 41A of said chapter 31, as so appearing, is hereby amended by
2211 striking out, in line 4, the word “chairman” and inserting in place thereof the following word:-
2212 chair.

2213 SECTION 78GG. The first paragraph of section 42 of said chapter 31, as so appearing, is
2214 hereby further amended by striking out the third sentence and inserting in place thereof the
2215 following sentence:- If the commission finds that the appointing authority has failed to follow

2216 said requirements and that the rights of said person have been prejudiced thereby, the
2217 commission may order the appointing authority to restore said person to employment
2218 immediately with or without loss of compensation or other rights.

2219 SECTION 78HH. The first paragraph of section 43 of said chapter 31, as so appearing, is
2220 hereby amended by striking out the first 2 sentences and inserting in place thereof the following
2221 2 sentences:- If a person aggrieved by a decision of an appointing authority made pursuant to
2222 section 41 shall, within 10 days after receiving written notice of such decision, appeal in writing
2223 to the commission, they shall be given a preliminary hearing before a member of the commission
2224 or some other disinterested person designated by the chair of the commission. The preliminary
2225 hearing shall occur within 60 days after docketing the appeal and, if required, a full evidentiary
2226 hearing shall commence within 180 days after docketing the appeal, unless the parties otherwise
2227 agree or unless a commission member determines, as a matter of discretion, that a continuance is
2228 necessary.

2229 SECTION 78II. The second paragraph of said section 43 of said chapter 31 is hereby
2230 amended by striking out the first sentence and inserting in place thereof the following sentence:-
2231 If the commission by a preponderance of the evidence determines that there was just cause for an
2232 action taken against such person, it shall affirm the action of the appointing authority and deny
2233 the appeal; provided, however, that if the commission does not so determine, it shall reverse the
2234 action and allow the appeal, in whole or in part, and the person concerned may be returned to
2235 their position with or without loss of compensation or other benefits and subject to such other
2236 orders as the commission may deem appropriate to restore and protect the rights provided to such
2237 person under this chapter; provided, further, that if the preponderance of the evidence establishes
2238 that the action was based upon harmful error in the application of the appointing authority's

2239 procedure, an error of law or upon any factor or conduct on the part of the employee not
2240 reasonably related to the fitness of the employee to perform in the position, the commission shall
2241 allow the appeal, in whole or in part, and the person concerned may be returned to their position
2242 with or without loss of compensation or other benefits.

2243 SECTION 78JJ. Section 45 of said chapter 31, as so appearing, is hereby amended by
2244 striking out the first paragraph and inserting in place thereof the following paragraph:-

2245 Each aggrieved individual who has prevailed in any appeal brought under this chapter
2246 shall be reimbursed by the local appointing authority or, if aggrieved by action or inaction of a
2247 state official, by the comptroller of the commonwealth, the following expenditures: (i) the filing
2248 fee paid to the commission; (ii) an amount not to exceed \$1,500 for attorneys' fees actually
2249 incurred in conjunction with each of the following: (A) an appointing authority hearing; (B) a
2250 hearing before the commission; and (C) an action for judicial review pursuant to section 44; and
2251 (iii) an amount not to exceed \$500 for summons to witnesses and any other expenses actually
2252 incurred in such successful appeal. In addition to the amounts stated above, the commission may
2253 award such additional reasonable attorneys' fees and costs up to \$25,000 to an appellant who
2254 prevails in an appeal brought under this chapter, upon an express finding of either bad faith on
2255 the part of the appointing authority or an egregious or willfully repeated violation of this chapter,
2256 unless special circumstances would render such additional award unjust.

2257 SECTION 78KK. Section 47A of said chapter 31, as so appearing, is hereby amended by
2258 striking out, in line 50, the word "handicapped" and inserting in place thereof the following
2259 word:- disabled.

2260 SECTION 78LL. Section 48 of said chapter 31, as so appearing, is hereby amended by
2261 striking out, in line 38, the word “selectmen” and inserting in place thereof the following words:-
2262 select boards.

2263 SECTION 78MM. Said section 48 of said chapter 31, as so appearing, is hereby further
2264 amended by striking out, in line 74, the word “men” and inserting in place thereof the following
2265 word:- persons.

2266 SECTION 78NN. Section 53 of said chapter 31, as so appearing, is hereby amended by
2267 striking out, in line 17, the words “board of selectmen” and inserting in place thereof the
2268 following words:- select board.

2269 SECTION 78OO. Section 58 of said chapter 31, as so appearing, is hereby amended by
2270 striking out the third paragraph and inserting in place thereof the following 3 paragraphs:-

2271 No applicant for examination for original appointment to the police force or fire force of
2272 a city or town shall be required, by rule or otherwise, to be a resident of such city or town at the
2273 time of filing an application for examination. If any person who has resided in a city or town for
2274 1 year immediately prior to the date of examination for original appointment to the police force
2275 or fire force of the city or town has the same standing on the eligible list established as the result
2276 of the examination as another person who has not resided in the city or town, the administrator,
2277 when certifying names to the appointing authority for the police force or the fire force of the city
2278 or town, shall place the name of the person who has so resided ahead of the name of the person
2279 who has not so resided; provided, that upon written request of the appointing authority to the
2280 administrator, the administrator shall, when certifying names from the eligible list for original
2281 appointment to the police force or fire force of a city or town, place the names of all persons who

2282 have resided in the city or town for 1 year immediately prior to the date of examination ahead of
2283 the name of any person who has not so resided; provided further, that any applicant who earned a
2284 high school diploma from a public school located within the geographical confines of the city or
2285 town or so resided in the city or town when they received their public high school diploma shall
2286 have the same claim to preferential placement on the certification as those persons who have
2287 resided in the city or town for 1 year immediately prior to the date of examination.

2288 In the case of a municipality, with a population of less than 75,000 inhabitants, seeking to
2289 draw from a regional pool of candidates, the administrator may, upon written request of the
2290 hiring authority, when certifying names from the eligible list for original appointment, place the
2291 names of all persons who have resided in another municipality within 10 miles of the perimeter
2292 of the requisitioning municipality ahead of the name of any person who has not so resided in or
2293 adjacent to the requisitioning municipality. In the case of a municipality with a population of
2294 greater than 75,000 inhabitants, a public safety department appointing authority from that city
2295 and its counterpart from any other municipality may jointly petition the administrator to include
2296 on the portion of the eligible list of individuals seeking original appointment that are preferred on
2297 the basis of residency the names of candidates residing in those specifically-identified
2298 municipalities if the city appointing authority is so authorized to petition for expansion of the
2299 residency preference by a vote of the legislative body of the hiring municipality. Whenever the
2300 residency preference to be applied to eligible lists extends beyond the perimeter of the
2301 requisitioning municipality, the administrator shall specify the contours of the preference-eligible
2302 geographical zone on the administrator's website. Thereafter, upon written request of the
2303 appointing authority to the administrator, the administrator shall, when certifying names from an
2304 eligible list for original appointment to the police or fire force of the municipality, place the

2305 names of all persons who satisfy the published criteria for residency preference ahead of the
2306 name of any person who does not satisfy the criteria.

2307 Notwithstanding the provisions of any general or special law to the contrary, any person
2308 who receives an appointment to the police force or fire force of a city or town shall within 9
2309 months after appointment establish residence within such city or town or at any other place in the
2310 commonwealth that is within 10 miles of the perimeter of such city or town; provided, however,
2311 that a city or town may increase the 10-mile residency limit under a collective bargaining
2312 agreement negotiated under chapter 150E.

2313 SECTION 78PP. Section 59 of said chapter 31, as so appearing, is hereby amended by
2314 striking out, in lines 6 to 7, the words “sixty and by sections thirty-six and thirty-six A of chapter
2315 forty-eight” and inserting in place thereof the following words:- 59A, 60 and by sections 36 and
2316 36A of chapter 48.

2317 SECTION 78QQ. Said section 59 of said chapter 31, as so appearing, is hereby further
2318 amended by striking out, in lines 12 and 14, the word “four”, both times it appears, and inserting
2319 in place thereof, in each instance, the following figure:- 2.

2320 SECTION 78RR. Said section 59 of said chapter 31, as so appearing, is hereby further
2321 amended by striking out, in line 18, the words “one year after certification” and inserting in place
2322 thereof the following words:- 1 year after appointment and performance of the job duties.

2323 SECTION 78SS. Said chapter 31 is hereby further amended by inserting after section 59
2324 the following 4 sections:-

2325 Section 59A. (a) Notwithstanding the provisions of any general or special law to the
2326 contrary, the administrator may authorize an appointing authority to create its own registers of
2327 entry-level municipal police and firefighter candidates after the appointing authority has entered
2328 into a written agreement with the administrator to adhere in the hiring process to basic merit
2329 principles and to commit to recruiting and considering candidates of diverse backgrounds, and
2330 upon submission of an anti-nepotism, anti-patronage and anti-favoritism policy acceptable to the
2331 administrator.

2332 (b) An appointing authority that has entered into a written agreement with the
2333 administrator pursuant to subsection (a) may designate candidates to appear on a local public
2334 safety register from which candidates may be considered for original appointment to permanent
2335 police officer or firefighter. Sections 26 and 27 shall not apply to candidates designated by the
2336 appointing authority to be considered from the local public safety register.

2337 (c) A candidate may be appointed as a permanent police officer from a local public safety
2338 register without having first passed the entry examination required by section 6 if they meet the
2339 minimum educational attainment and age requirements for appointment set forth in the second
2340 paragraph of section 58 and the health and physical fitness standards set forth in section 61A,
2341 and also satisfy 1 of the following conditions: (i) future successful completion of a prescribed
2342 course of study at a police academy approved by the municipal police training committee
2343 pursuant to section 96B of chapter 41; (ii) receipt of a passing mark, within the past 5 years, on:
2344 (A) a civil service examination for police officer administered by the administrator; (B) a
2345 qualifying examination administered by the appointing authority that has been validated by a
2346 test-development expert and that tests the knowledge, skills and abilities to perform the primary
2347 or dominant duties of the position; or (C) any other examination approved by the administrator in

2348 consultation with individuals deemed to be subject matter experts in the policing profession; (iii)
2349 current service in the commonwealth as a salaried police officer certified by the peace officer
2350 standards and training commission; (iv) graduation within the past 5 years from a police
2351 academy approved by the municipal police training committee; or (v) receipt of a waiver from
2352 the municipal police training committee excusing the named candidate from further academy
2353 training.

2354 (d) No individual appointed as a police officer may perform the duties of a sworn police
2355 officer prior to completion of the prescribed course of study approved by the Massachusetts
2356 police training committee pursuant to section 96B of chapter 41 or receipt of a waiver of such
2357 training requirement from the committee.

2358 (e) A candidate may be appointed from a local public safety register as a permanent
2359 firefighter without having first passed the entry examination required by section 6 if they meet
2360 the minimum educational attainment and age requirements for appointment set forth in the
2361 second paragraph of section 58 and the health and physical fitness standards set forth in section
2362 61A, and satisfy 1 of the following conditions: (i) prior or proximately anticipated graduation
2363 from a fire academy, or anticipated completion within the next 12 months of another prescribed
2364 course of study culminating in certification, approved by the Massachusetts fire training council
2365 pursuant to section 165 of chapter 6; (ii) receipt of a passing mark, within the past 5 years, on:
2366 (A) a civil service examination for firefighter administered by the administrator; (B) a qualifying
2367 examination administered by the appointing authority that has been validated by a test-
2368 development expert and that tests the knowledge, skills and abilities to perform the primary or
2369 dominant duties of the position; or (C) any other examination approved by the administrator in
2370 consultation with individuals deemed to be subject matter experts in the firefighting profession;

2371 or (iii) current service, for a minimum of 6 months, in the commonwealth as a salaried
2372 firefighter; or (iv) past service as a salaried firefighter in another jurisdiction together with
2373 certification acceptable to the Massachusetts fire training council.

2374 (f) In all cases, whether involving either police or fire position candidacies under this
2375 section, no appointment shall be deemed effective for civil service purposes until notification of
2376 same to the administrator in a manner prescribed by the administrator. Nothing in this section
2377 regarding the appointment of candidates from a local public safety register shall be construed to
2378 apply to any municipal public safety personnel ranked above the entry-level position of police
2379 officer or firefighter.

2380 (g) Upon investigation and substantiation by the commission of allegations that an
2381 appointing authority has violated material terms of the written agreement entered into with the
2382 administrator, the commission, in consultation with the administrator, may order modifications,
2383 suspension or termination of the agreement.

2384 Section 59B. (a) Notwithstanding any general or special law to the contrary, the
2385 administrator may authorize an appointing authority to establish an entry-level police cadet
2386 program leading to civil service tenure. The cadet program shall be established by the appointing
2387 authority, in accordance with basic merit principles and section 21A of chapter 147, except that a
2388 person appointed as a police cadet shall not be required to reside in the municipality making the
2389 appointment and may be of any age once the person's eighteenth birthday has transpired. Cadet
2390 program requirements shall be approved by both the administrator and an authorized designee of
2391 the municipal police training committee established in section 116 of chapter 6. A cadet shall not
2392 be subject to or entitled to the benefits of any retirement or pension law nor shall any deduction

2393 be made from their compensation for the purpose thereof, but a cadet who satisfies all
2394 prerequisites for appointment to the police force of such city or town, and is appointed a
2395 permanent full-time police officer, shall have their police cadet service considered as creditable
2396 service for purposes of retirement, provided the person pays into the annuity savings fund of the
2397 retirement system such amount as the retirement board determines equal to that which they
2398 would have paid had they been a member of the retirement system during the period of training
2399 as a police cadet.

2400 (b) A cadet may be appointed to fill a vacancy in a position in the lowest grade of a
2401 municipal police force through a cadet appointment without certification from an eligible list. In
2402 order to maintain cadet-appointment status, the cadet shall pass a qualifying exam and be a
2403 member in good standing in the appointing authority-sponsored cadet program for a time period
2404 specified by the administrator but not less than 12 months. Upon successful completion of the
2405 cadet program and contingent upon graduation from a police academy approved by the
2406 municipal police training committee, the appointing authority may effectuate a civil service
2407 appointment of the cadet to the permanent police force via notification to the administrator. The
2408 appointee shall then serve the probationary period specified in section 61 before gaining tenure
2409 status. The appointing authority shall report in writing to the administrator any such permanent
2410 original appointment.

2411 Section 59C. (a) Notwithstanding any general or special law to the contrary, any person
2412 who has completed not less than 24 months of service as a fire cadet may, subject to a program
2413 established by the head of the fire department as defined in section 1 of chapter 148, on behalf of
2414 a municipality accepting of the provisions of this chapter, which program has been approved by
2415 both the administrator and the Massachusetts fire training council established in section 164 of

2416 chapter 6, be appointed to fill a vacancy in a position in the lowest grade in the civil service fire
2417 force of the city or town without certification from an eligible list prepared under this chapter;
2418 provided, however, that such person shall be on a fire entrance eligible list prepared under this
2419 chapter or shall have passed another qualifying examination approved by the administrator.

2420 (b) Any change in working conditions for incumbent firefighters directly precipitated by
2421 the employment of fire cadets shall trigger the bargaining obligations set forth in section 6 of
2422 chapter 150E. A cadet shall not be subject to or entitled to the benefits of any retirement or
2423 pension law nor shall any deduction be made from their compensation for the purpose thereof;
2424 provided, however, that a cadet who satisfies all prerequisites for appointment to the firefighting
2425 force of such city or town, and is appointed a permanent full-time firefighter, shall have their fire
2426 cadet service considered as creditable service for purposes of retirement; provided further, that
2427 the cadet pays into the annuity savings fund of the retirement system such amount as the
2428 retirement board determines equal to that which they would have paid had they been a member
2429 of the retirement system during the period of training as a fire cadet.

2430 Section 59D. The percentage of candidates appointed to a permanent position from a
2431 local public safety service register or a cadet program, pursuant to sections 59A through 59C,
2432 inclusive, shall not exceed, in the aggregate, more than 50 per cent of the appointing authority's
2433 overall appointments to the entry-level police and firefighter ranks during the time period
2434 established by the written agreement consummated between the administrator and the appointing
2435 authority that authorizes the alternative appointment methodologies permitted by this chapter.

2436 SECTION 78TT. Sections 59A, 59C and 59D of chapter 31 of the General Laws, inserted
2437 by section 78SS, are hereby repealed.

2438 SECTION 78UU. Section 60A of said chapter 31, as appearing in the 2022 Official
2439 Edition, is hereby amended by striking out, in line 4, the word “selectmen” and inserting in place
2440 thereof the following words:- select board.

2441 SECTION 78VV. Section 61 of said chapter 31, as so appearing, is hereby amended by
2442 adding the following sentence:- Unless otherwise provided by civil service rule, and with
2443 appropriate adjustments to the timing of performance evaluations called for therein, the second
2444 paragraph of section 34 shall apply to persons covered by this section.

2445 SECTION 78WW. Section 63 of said chapter 31, as so appearing, is hereby amended by
2446 striking out, in line 25, the word “handicapping” and inserting in place thereof the following
2447 word:- disabling.

2448 SECTION 78XX. Section 65 of said chapter 31, as so appearing, is hereby amended by
2449 striking out, in lines 8 and 10, the word “four”, both times it appears, and inserting in place
2450 thereof, in each instance, the following figure:- 2.

2451 SECTION 78YY. Said section 65 of said chapter 31, as so appearing, is hereby further
2452 amended by adding the following paragraph:-

2453 Unless otherwise provided by civil service rule, and with appropriate adjustments to the
2454 timing of performance evaluations called for therein, the second paragraph of section 34 shall
2455 apply to persons covered by this section.

2456 SECTION 78ZZ. Section 67 of said chapter 31, as so appearing, is hereby amended by
2457 striking out, in lines 6 to 7, the words “and the seniority of such employee as determined
2458 pursuant to section thirty-three” and inserting in place thereof the following words:- , the

2459 seniority of such employee as determined pursuant to section 33 and available demographic data,
2460 in aggregate form, regarding the complement of civil service employees in each department.

2461 SECTION 78AAA. Said section 67 of said chapter 31, as so appearing, is hereby further
2462 amended by inserting after the word “the”, in line 21, the following words:- commission or the.

2463 SECTION 78BBB. Said section 67 of said chapter 31, as so appearing, is hereby further
2464 amended by striking out, in lines 23 to 24, the words “one hundred dollars” and inserting in place
2465 thereof the following figure:- \$500.

2466 SECTION 78CCC. The second paragraph of section 72 of said chapter 31, as so
2467 appearing, is hereby amended by striking out the third sentence and inserting in place thereof the
2468 following sentence:- After conducting an inquiry pursuant to this paragraph, the commission or
2469 administrator may recommend to or order the appointing authority that such employee be
2470 removed or may make other appropriate recommendations or orders.

2471 SECTION 78DDD. Said section 72 of said chapter 31, as so appearing, is hereby further
2472 amended by inserting after the word “witnesses”, in line 18, the following words:- , demand to
2473 inspect documents.

2474 SECTION 78EEE. Section 73 of said chapter 31, as so appearing, is hereby amended by
2475 inserting after the word “of”, in line 1, the following words:- the commission or the.

2476 SECTION 78FFF. Section 74 of said chapter 31 is hereby amended by striking out the
2477 third and fourth paragraphs and inserting in place thereof the following 2 paragraphs:-

2478 No person making an appointment to any civil service position shall receive or consider a
2479 recommendation of an applicant for such appointment given by any member of the general court,
2480 board of alders or city council, except as to the character or residence of the applicant.

2481 Any person who has been elected to public office by popular vote or by the board of
2482 alders or city council of a city or the select board of a town shall not be eligible to be designated
2483 as a representative of civil service.

2484 SECTION 78GGG. Said chapter 31 is hereby further amended by striking out section 75
2485 and inserting in place thereof the following section:-

2486 Section 75. No person shall deny or interfere with the right of civil service employees
2487 employed by any city or town to petition, individually or collectively, the city or town
2488 government or any member thereof, to furnish information to the mayor, city or town manager,
2489 city council, board of alders or select board or to appear before any committee of such council or
2490 boards, or deny or interfere with the right of any civil service employees to petition, individually
2491 or collectively, the general court or any member thereof, to furnish information to either branch
2492 of the general court, or to appear before any of its committees, or to furnish information to, or
2493 cooperate with, law enforcement authorities. This section shall not be construed to authorize an
2494 employee who is not on leave to be absent from employment without permission during regular
2495 working hours.

2496 SECTION 78HHH. Section 77 of said chapter 31, as appearing in the 2022 Official
2497 Edition, is hereby amended by inserting after the word “The”, in line 1, the following words:-
2498 commission or the.

2499 SECTION 78III. Said chapter 31 is hereby further amended by adding the following
2500 section:-

2501 Section 78. (a) There shall be a permanent commission on recruitment, hiring and
2502 retention of municipal police officers and firefighters in the commonwealth to be co-chaired by 1
2503 member appointed by the speaker of the house of representatives, 1 member appointed by the
2504 president of the senate and 1 member appointed by the governor; and consisting of the following
2505 members or their designees: the chairs of the joint committee on public service and the chairs of
2506 the joint committee on public safety and homeland security, who may serve as vice chairs of the
2507 commission; the secretary of administration and finance; the chief human resources officer for
2508 the commonwealth; the chair of the civil service commission; the attorney general; the secretary
2509 of public safety and security; the chair of the Massachusetts peace officer standards and training
2510 commission; the executive director of the municipal police training committee; the president of
2511 the Massachusetts Chiefs of Police Association; the president of the Massachusetts major city
2512 chiefs of police; the chair of the Massachusetts Law Enforcement Policy Group, Inc.; a
2513 representative of police officers selected by the co-chairs from candidates recommended from a
2514 major federation of police officer unions in the commonwealth; a member of a correctional
2515 officers' union; the president of the Massachusetts Association of Minority Law Enforcement
2516 Officers, Inc.; the president of the Massachusetts Association of Women in Law Enforcement,
2517 Inc.; the chair of the Massachusetts fire training council; the state fire marshal; the president of
2518 the Fire Chiefs' Association of Massachusetts, Inc.; the president of the professional firefighters
2519 association of Massachusetts; the secretary of veterans affairs; the president of the Massachusetts
2520 veteran service agents; the commander of the disabled veterans of Massachusetts; the executive
2521 director of the Massachusetts Municipal Association, Inc.; the president of the Massachusetts

2522 Mayors' Association, Inc.; the chair of the Massachusetts municipal human resources
2523 association; the executive director of the Massachusetts chapter of the ACLU; the president of
2524 the Boston chapter of the NAACP's New England conference; and the chair of the
2525 Massachusetts commission against discrimination.

2526 (b) The co-chairs may appoint a steering committee and subcommittees to carry out the
2527 mandate of the commission. Members of the commission shall be subject to chapter 268A as it
2528 applies to special state employees and shall receive no compensation for their services.

2529 (c) The commission shall be a resource to the commonwealth and municipalities on
2530 issues related to the recruitment, hiring and retention of highly qualified candidates of diverse
2531 backgrounds for municipal police officer and firefighter positions across Massachusetts. In
2532 support of this objective, the commission may: (i) obtain, interpret, and apply current research
2533 and evaluation data, including information reported pursuant to section 67, to program initiatives
2534 and policy development and identify and advocate for solutions to address gaps in strategies for
2535 employment of highly qualified and diverse municipal public safety personnel; and (ii)
2536 recommend measures to increase, where appropriate, representation within municipal public
2537 safety departments of historically under-represented populations, including females and persons
2538 of color, and monitor the compliance by municipal public safety departments with any
2539 commitments they may have entered into to diversify their workforces.

2540 (d) The commission may examine and evaluate the implementation of all reforms related
2541 to the recruitment, hiring and retention of municipal police officers and firefighters in the
2542 commonwealth made by the special legislative commission to study and examine the civil
2543 service law, personnel administration rules, hiring procedures and by-laws for municipalities not

2544 subject to the civil service law and state police hiring practices, established in section 107 of
2545 chapter 253 of the acts of 2020, by: (i) studying, reviewing and reporting on: (A) the hiring
2546 outcomes of any civil service appointments facilitated by sections 59A through 59C, inclusive;
2547 (B) the hiring outcomes of reforms made to civil service residency preference provisions of
2548 section 58; and (C) the hiring outcomes of any other civil service reforms implemented,
2549 including, but not limited to, the increased frequency of civil service examinations and the
2550 lowering of examination fees; and (ii) making recommendations: (A) to ensure that adopted
2551 reforms are being implemented consistent with the intent of the special legislative commission;
2552 and (B) for further legislation in furtherance of the commission's mandate.

2553 (e) The commission may examine and evaluate all aspects of the recruitment, hiring and
2554 retention of municipal police officers and firefighters in all municipalities in the commonwealth
2555 and make pertinent recommendations to agencies and officers of the commonwealth and local
2556 subdivisions of government not governed by this chapter that advance basic merit principles in
2557 the recruitment, hiring and retention of highly qualified police officers and firefighters of diverse
2558 backgrounds across the commonwealth.

2559 (f) The commission may obtain from all state agencies and municipalities such
2560 information and assistance as the commission may require.

2561 (g) Not later than July 1 of each year, the commission shall submit an annual report on its
2562 activities and findings, including any recommendations, to the governor, the clerks of the house
2563 of representatives and the senate, the joint committee on public service and the joint committee
2564 on public safety and homeland security.

2565 SECTION 79. Section 59 of chapter 40 of the General Laws, as so appearing, is hereby
2566 amended by striking out, in lines 5 and 6, the words “and pursuant to regulations issued by the
2567 economic assistance coordinating council established under section 3B of chapter 23A,”.

2568 SECTION 80. Said section 59 of said chapter 40, as so appearing, is hereby further
2569 amended by striking out clause (i) and inserting in place thereof the following clause:- (i)
2570 includes a description of the parcels to be included in the agreement;.

2571 SECTION 81. Said section 59 of said chapter 40, as so appearing, is hereby further
2572 amended by striking out, in line 30, the words “within such TIF area”.

2573 SECTION 82. Said section 59 of said chapter 40, as so appearing, is hereby further
2574 amended by striking out, in lines 32 to 33, the words “as required by said regulations”.

2575 SECTION 83. Said section 59 of said chapter 40, as so appearing, is hereby further
2576 amended by striking out clause (vii).

2577 SECTION 84. Said section 59 of said chapter 40, as so appearing, is hereby further
2578 amended by striking out, in line 90, the figure “(viii)” and inserting in place thereof the following
2579 figure:- (vii).

2580 SECTION 85. Said section 59 of said chapter 40, as so appearing, is hereby further
2581 amended by striking out, in lines 91 to 92, the words “and the economic assistance coordinating
2582 council”.

2583 SECTION 86. Section 6 of chapter 40A of the General Laws, as so appearing, is hereby
2584 amended by striking out the second paragraph and inserting in place thereof the following
2585 paragraph:-

2586 A zoning ordinance or by-law shall provide that construction or operations under a
2587 building permit shall conform to any subsequent amendment of the ordinance or by-law unless
2588 the use or construction is commenced within a period of not more than 12 months after the
2589 issuance of the permit and, in cases involving construction, unless such construction is continued
2590 through to completion as continuously and expeditiously as is reasonable. Construction or
2591 operations under a special permit issued pursuant to section 9 or site plan approval pursuant to
2592 the local ordinance or by-law shall conform to any subsequent amendment of the zoning
2593 ordinance or by-law or of any other local land use regulations unless the use or construction is
2594 commenced within a period of 3 years after the issuance of the special permit or site plan
2595 approval and, in cases involving construction, unless such construction is continued through to
2596 completion as continuously and expeditiously as is reasonable. For the purpose of the prior
2597 sentence, construction involving the redevelopment of previously disturbed land shall be deemed
2598 to have commenced upon substantial investment in site preparation or infrastructure
2599 construction, and construction of developments intended to proceed in phases shall proceed
2600 expeditiously, but not continuously, among phases.

2601 SECTION 87. Subsection (a) of section 4G of chapter 40J of the General Laws, as so
2602 appearing, is hereby amended by inserting after the word “granted”, in line 21, the following
2603 words:- ; provided, however, that the University of Massachusetts may leverage funding sourced
2604 from an agency to meet the match requirement.

2605 SECTION 88. Subsection (c) of said section 4G of said chapter 40J, as so appearing, is
2606 hereby amended by inserting after the word “blockchain”, in line 61, the following words:- , non-
2607 therapeutic biomanufacturing.

2608 SECTION 89. Subsection (c) of section 6B of said chapter 40J, as most recently amended
2609 by section 179 of chapter 7 of the acts of 2023, is hereby further amended by striking out the last
2610 sentence.

2611 SECTION 90. Section 2 of chapter 43D of the General Laws, as appearing in the 2022
2612 Official Edition, is hereby amended by striking out the definition of “Interagency permitting
2613 board”.

2614 SECTION 91. Said section 2 of said chapter 43D, as so appearing, is hereby further
2615 amended by striking out the definition of “Priority development site” and inserting in place
2616 thereof the following 2 definitions:-

2617 “Permit regulatory office”, the office within the executive office of economic
2618 development established pursuant to section 3H of chapter 23A.

2619 “Priority development site”, a privately or publicly owned property that is: (i) eligible
2620 under applicable zoning provisions, including special permits or other discretionary permits, for
2621 the development or redevelopment of a building at least 50,000 square feet of gross floor area in
2622 new or existing buildings or structures; and (ii) designated as a priority development site by the
2623 permit regulatory office. Several parcels or projects may be included within a single priority
2624 development site.

2625 SECTION 92. Said chapter 43D is hereby further amended by striking out section 3 and
2626 inserting in place thereof the following section:-

2627 Section 3. (a) A governing body seeking designation of a priority development site shall
2628 file a formal proposal with the permit regulatory office. If the proposal includes an intention to

2629 develop housing within the priority development site, the governing body shall provide a copy of
2630 the proposal to the secretary of housing and livable communities. The proposal shall include: (i)
2631 a detailed description of the property; (ii) a good faith commitment to comply with this chapter;
2632 (iii) a description of the uses that could be developed within the priority development site; and
2633 (iv) such other information as the secretary shall require by regulation or program guidelines,
2634 after consultation with the secretary of energy and environmental affairs, the secretary of housing
2635 and livable communities and the secretary of transportation.

2636 (b) The secretary shall by regulation or program guidelines establish criteria for
2637 designating priority development sites. These criteria shall include a preference for areas that
2638 include 1 or more of the following: (i) underutilized buildings or facilities; (ii) adequate utilities
2639 for the types of development anticipated to occur; (iii) convenient access to a public transit
2640 station; or (iv) areas in which electric grid capacity can satisfy new all electric buildings. Priority
2641 development sites shall not include areas containing highly sensitive natural resources or areas in
2642 which development would be at significant risk from rising sea levels or other flood risk caused
2643 or exacerbated by climate change.

2644 SECTION 93. Section 11 of said chapter 43D, as appearing in the 2022 Official Edition,
2645 is hereby amended by striking out, in lines 2 to 3, the words “unless the permit expressly allows
2646 the transfer without the approval of the issuing authority” and inserting in place thereof the
2647 following words:- except as provided in a local ordinance or bylaw or in an applicable state law
2648 or regulation.

2649 SECTION 94. Said chapter 43D is hereby further amended by striking out section 12 and
2650 inserting in place thereof the following section:-

2651 Section 12. A municipality that has a priority development site shall be eligible for
2652 priority consideration for: (i) any grant program administered by the executive office of
2653 economic development; (ii) other state resources for business development such as quasi-public
2654 financing and training programs; (iii) brownfields remediation assistance administered by the
2655 Massachusetts Development Finance Agency; and (iv) technical assistance provided by the
2656 regional planning council; provided, that the state financial assistance or technical assistance
2657 shall be intended to facilitate development within the priority development site; and provided
2658 further that priority consideration for such grants and other financial assistance shall apply only
2659 to a municipality that is in compliance with the multifamily zoning requirements of section 3A of
2660 chapter 40A, if applicable.

2661 SECTION 95. Section 13 of said chapter 43D is hereby repealed.

2662 SECTION 96. Section 6 of chapter 62 of the General Laws is hereby amended by striking
2663 out, in line 149, as appearing in the 2022 Official Edition, the words ““EDIP contract” and
2664 “proposed project”” and inserting in place thereof the following words:- “EDIP contract”,
2665 “proportion of compliance”, “proposed project” and “refundable credit”.

2666 SECTION 97. Said section 6 of said chapter 62 is hereby further amended by striking
2667 out, in lines 154 to 157, inclusive, as so appearing, the words “, up to an amount equal to 50 per
2668 cent of the liability in a taxable year; provided, however, that the 50 per cent limitation shall not
2669 apply where the credit is refundable under paragraph (6)”.

2670 SECTION 98. Said section 6 of said chapter 62 is hereby further amended by striking
2671 out, in lines 159 to 163, inclusive, as so appearing, the words “; provided further, that a credit
2672 awarded in connection with a certified project that will retain permanent full-time employees in a

2673 gateway municipality without creating a net increase in permanent full-time employees shall not
2674 exceed \$5,000 per retained employee”.

2675 SECTION 99. Paragraph (3) of subsection (g) of said section 6 of said chapter 62, as
2676 most recently amended by section 215 of chapter 7 of the acts of 2023, is hereby further
2677 amended by striking out the last sentence and inserting in place thereof the following 2
2678 sentences:- The EACC shall provide the commissioner with the documentation that the
2679 commissioner deems necessary to confirm compliance with the annual cap and the commissioner
2680 shall provide a report confirming compliance to the secretary of administration and finance and
2681 the secretary of economic development. Notwithstanding section 21 of chapter 62C, the
2682 department of revenue shall provide the EACC with documentation confirming tax credits
2683 claimed under this subsection by the owner or lessee of a certified project.

2684 SECTION 100. Paragraph (8) of said subsection (g) of said section 6 of said chapter 62,
2685 as appearing in the 2022 Official Edition, is hereby amended by striking out the last sentence and
2686 inserting in place thereof the following sentence:- The amount of credits subject to recapture
2687 shall be equal to the taxpayer’s proportion of compliance, as determined by the EACC as part of
2688 its revocation process and reported to the taxpayer and the department of revenue at the time that
2689 certification is revoked.

2690 SECTION 101. Subsection (r) of said section 6 of said chapter 62, as so appearing, is
2691 hereby amended by striking out, in line 949, the figure “\$30,000,000” and inserting in place
2692 thereof the following figure:- \$50,000,000.

2693 SECTION 102. Said section 6 of said chapter 62, as most recently amended by chapter
2694 88 of the acts of 2024, is hereby further amended by striking out subsection (t).

2695 SECTION 103. Said section 6 of said chapter 62, as so amended, is hereby further
2696 amended by adding the following 5 subsections:-

2697 (ee)(1) As used in this subsection, the following words shall, unless the context clearly
2698 requires otherwise, have the following meanings:

2699 “Advertising and public relations expenditure”, a cost incurred within the commonwealth
2700 by an eligible theater production for goods or services related to the marketing, public relations,
2701 creation and placement of print, electronic, television, billboards or other forms of advertising to
2702 promote the eligible theater production.

2703 “Eligible theater production”, a live stage musical, dance or theatrical production or tour
2704 being presented in a qualified production facility that is either: (i) a pre-Broadway production;
2705 (ii) a pre-off Broadway production; (iii) a national tour launch; or (iv) a regional professional
2706 theater production.

2707 “Eligible theater production certificate”, a certificate issued by the office, in consultation
2708 with the commissioner, certifying that a production is an eligible theater production that meets
2709 the rules or regulations of the office, and that it has been awarded a tax credit in a specified
2710 amount, pursuant to section 3M of chapter 23A.

2711 “National tour launch”, a live stage production that, in its original or adaptive version, is
2712 performed in a qualified production facility and opens its national tour in the commonwealth.

2713 “Office”, the Massachusetts office of business development established in section 1
2714 of chapter 23A, or any constituent office thereof.

2715 “Payroll”, all salaries, wages, fees and other compensation from sources within the
2716 commonwealth, including, but not limited to, taxes, benefits and any other consideration incurred
2717 or paid to talent and non-talent employees of the applicant for services rendered within the
2718 commonwealth to and on behalf of an eligible theater production; provided, that the payroll
2719 expenditure shall be incurred or paid by the applicant for services related to any portion of an
2720 eligible theater production from its pre-production stages, including, but not limited to: (i) the
2721 writing of the script; (ii) casting; (iii) hiring of service providers; (iv) purchases from
2722 vendors; (v) marketing; (vi) advertising; (vii) public relations; (viii) load in; (ix) rehearsals; (x)
2723 performances; (xi) other eligible theater production related activities; and (xii) load out; and
2724 provided further, that the payroll expenditure shall be directly attributable to the eligible theater
2725 production and shall be limited to the first \$100,000 of wages incurred or paid to each
2726 employee of an eligible theater production in each tax year.

2727 “Pre-Broadway production”, a live stage production that, in its original or adaptive
2728 version, is performed in a qualified production facility having a presentation scheduled for
2729 the city of New York’s Broadway theater district within 24 months after its presentation in
2730 the commonwealth.

2731 “Pre-off Broadway production”, a live stage production that, in its original or adaptive
2732 version, is performed in a qualified production facility having a presentation scheduled for the
2733 city of New York’s off-Broadway theater district within 24 months after its presentation in
2734 the commonwealth.

2735 “Production and performance expenditures”, a contemporaneous exchange of cash or
2736 cash equivalent for goods or services related to development, production, performance or

2737 operating expenditures incurred in the commonwealth for a qualified theater production,
2738 including, but not limited to, expenditures for design, construction and operation, including sets,
2739 special and visual effects, costumes, wardrobes, make-up, accessories, costs associated with
2740 sound, lighting, staging, advertising and public relations expenditures, facility expenses, rentals,
2741 per diems, accommodations and other related costs.

2742 “Qualified production facility”, a facility located in the commonwealth in which live
2743 theater productions are, or are intended to be, exclusively presented that contains at least 1 stage,
2744 a seating capacity of not less than 175 seats, dressing rooms, storage areas and other ancillary
2745 amenities necessary for the eligible theater production.

2746 “Regional professional theater production”, a live stage production that is performed in a
2747 qualified production facility with a professional cast and crew.

2748 “Transportation expenditures”, expenses incurred in the commonwealth for the
2749 packaging, crating and transportation both to the commonwealth for use in a qualified theater
2750 production of sets, costumes or other tangible property constructed or manufactured outside the
2751 commonwealth, or from the commonwealth after use in a qualified theater production of sets,
2752 costumes or other tangible property constructed or manufactured in the commonwealth and the
2753 transportation of the cast and crew to and from the commonwealth; provided, that “transportation
2754 expenditures” shall include any portion performed in the commonwealth of the packaging,
2755 crating and transporting of property and equipment used for special and visual effects, sound,
2756 lighting and staging, costumes, wardrobes, make-up and related accessories and materials and
2757 any other performance or production-related property and equipment.

2758 (2) Any taxpayer that has been awarded an eligible theater production certificate and has
2759 completed a cost accounting pursuant to subsection (c) of section 3M of chapter 23A shall be
2760 allowed a tax credit against taxes imposed by this chapter. The credit shall not exceed
2761 \$7,000,000 and shall be equal to: (i) 35 per cent of the total in-state payroll costs; (ii) 25 per cent
2762 of the production and performance expenditures; and (iii) 25 per cent of transportation
2763 expenditures. Additionally, the credit shall not exceed the amount of credit specified in the
2764 eligible theater production certificate.

2765 (3) The tax credit shall be allowed against the tax for the taxable period in which the
2766 credit is issued and any amount of the tax credit that exceeds the tax due for a taxable year
2767 may be carried forward for not more than 5 succeeding tax years.

2768 (4) If a taxpayer has not claimed the tax credits in whole or part, a taxpayer eligible for
2769 the tax credits may assign, transfer or convey the tax credits, in whole or in part, by sale or
2770 otherwise to any individual or entity and such assignee of the tax credits that have not
2771 claimed the tax credits, in whole or in part, may assign, transfer or convey the tax credits, in
2772 whole or in part, by sale or otherwise to any individual or entity. The assignee of the tax credits
2773 may use acquired credits to offset up to 100 per cent of the tax liabilities otherwise imposed
2774 pursuant to this chapter. The assignee may apply the tax credits against taxes imposed on the
2775 assignee for not more than 5 succeeding tax years from the date an eligible theater production
2776 certificate is first issued by the office. The assignor shall perfect the transfer by notifying the
2777 commissioner, in writing, within 30 calendar days following the effective date of the transfer and
2778 shall provide any information as may be required by the commissioner to administer and carry
2779 out this subsection.

2780 (5) The commissioner shall promulgate such rules and regulations necessary for the
2781 administration of this subsection.

2782 (ff)(1) As used in this subsection, the following words shall, unless the context clearly
2783 requires otherwise, have the following meanings:

2784 “Capital investment”, expenses incurred for the site preparation and construction, repair,
2785 renovation, improvement or equipping of a building, structure, facility or other improvements to
2786 real property, including, but not limited to, site-related utility and transportation infrastructure
2787 improvements.

2788 “Center”, the Massachusetts clean energy technology center established in section 2 of
2789 chapter 23J.

2790 “Certified climatetech company”, a climatetech company, as defined in section 1 of
2791 chapter 23J.

2792 “Climatetech facility”, any building, complex of buildings or structural components of
2793 buildings, including access infrastructure, and all machinery and equipment used in the research,
2794 manufacturing, assembly, development, provision, or administration of goods or services in the
2795 climatetech sector.

2796 “Owner”, a taxpayer subject to tax under this chapter that: (i) holds title to a climatetech
2797 facility; or (ii) ground leases the land underlying a climatetech facility for at least 50 years.

2798 “Tenant”, a taxpayer subject to tax under this chapter that is a lessee in climatetech
2799 facility.

2800 (2) An owner or tenant, to the extent authorized by the climatetech tax incentive program
2801 established in section 16 of chapter 23J, may be allowed a refundable credit against the taxes
2802 imposed under this chapter in an amount up to 50 per cent of the owner's total capital investment
2803 in a climatetech facility. The total amount of tax credit awarded pursuant to this subsection shall
2804 be distributed in equal parts over the 5 taxable years that correspond to the period in which the
2805 owner or tenant is certified pursuant to said section 16 of said chapter 23J.

2806 (3) An owner shall be eligible for a tax credit authorized under this subsection if the
2807 owner demonstrates to the center that: (i) the owner is a certified climatetech company; (ii) the
2808 owner's total capital investment in the climatetech facility equals not less than \$5,000,000; and
2809 (iii) the climatetech facility shall employ not less than 50 new full-time employees by the fifth
2810 year of the owner's certification period under section 16 of chapter 23J. Upon verification, the
2811 center shall provide this information to the department of revenue for the purpose of
2812 administering the credit.

2813 (4) A tenant shall be eligible for a tax credit authorized pursuant to this subsection if the
2814 tenant demonstrates to the center that: (i) the tenant is a certified climatetech company; (ii) the
2815 owner has made a total capital investment in the facility that is not less than \$5,000,000; (iii) the
2816 tenant occupies a leased area of the climatetech facility that represents not less than 25 per cent
2817 of the total leasable square footage of the facility; and (iv) the tenant shall employ not less than
2818 13 full-time employees by the fifth year of the tenant's certification period under section 16 of
2819 chapter 23J. Upon verification, the center shall provide this information to the department of
2820 revenue for the purpose of administering the credit. The amount of tax credits awarded under this
2821 subsection to a tenant for a taxable year shall not exceed the tenant's total lease payments for
2822 occupancy of the climatetech facility for the taxable year.

2823 (5) The department of revenue shall issue the refundable portion of the credit without
2824 further appropriation and in accordance with the cumulative amount, including the current year
2825 costs of incentives allowed in previous years, which shall not exceed \$30,000,000 annually as set
2826 forth in subsection (d) of section 16 of chapter 23J.

2827 (6) The credit under this subsection shall be attributed on a pro rata basis to the owners,
2828 partners or members of the legal entity entitled to the credit under this subsection and shall be
2829 allowed as a credit against the tax due under this chapter from such owners, partners or members
2830 in a manner determined by the commissioner.

2831 (7) The department of revenue shall promulgate such rules and regulations as are
2832 necessary to administer the credit established in this subsection.

2833 (gg)(1) A taxpayer, to the extent authorized by the climatetech tax incentive program
2834 established in section 16 of chapter 23J, may be allowed a refundable jobs credit against the tax
2835 liability imposed under this chapter in an amount determined by the Massachusetts clean energy
2836 technology center established in section 2 of said chapter 23J, in consultation with the
2837 department of revenue.

2838 (2) A taxpayer taking a credit under this subsection shall commit to the creation of not
2839 less than 5 net new permanent full-time employees in the commonwealth.

2840 (3) A credit allowed under this subsection shall reduce the liability of the taxpayer under
2841 this chapter for the taxable year. If a credit claimed under this subsection by a taxpayer exceeds
2842 the taxpayer's liability as otherwise determined under this chapter for the taxable year, 90 per
2843 cent of such excess credit, to the extent authorized by the climatetech tax incentive program,

2844 shall be refundable to the taxpayer. Excess credit amounts shall not be carried forward to other
2845 taxable years.

2846 (4) The department of revenue shall issue the refundable portion of the jobs credit
2847 without further appropriation and in accordance with the cumulative amount, including the
2848 current year costs of incentives allowed in previous years, which shall not exceed \$30,000,000
2849 annually as set forth in subsection (d) of section 16 of chapter 23J.

2850 (5) The credit under this subsection shall be attributed on a pro rata basis to the owners,
2851 partners or members of the legal entity entitled to the credit under this subsection and shall be
2852 allowed as a credit against the tax due under this chapter from such owners, partners or members
2853 in a manner determined by the commissioner.

2854 (hh)(1) An employer engaged in business in the commonwealth, which is not a business
2855 corporation subject to the excise under chapter 63, may be allowed a credit in each taxable year
2856 against the tax liability imposed by this chapter equal to \$5,000 or 50 per cent of the wages paid
2857 to each net-new qualified intern employed in the taxable year, whichever is less. If a credit
2858 allowed pursuant to this subsection exceeds the tax otherwise due under this chapter, 100 per
2859 cent of the balance of such credit may, at the option of the taxpayer, be refunded to the taxpayer.

2860 (2) For an employer to be eligible for a credit under this subsection: (i) the intern shall be
2861 enrolled in or a recent graduate of a public or private institution of higher education located in
2862 the commonwealth; (ii) the intern shall have been employed as a qualified intern by the employer
2863 for at least 12 weeks in the taxable year for which the credit is claimed; and (iii) the employer
2864 shall demonstrate that the total number of interns employed in the taxable year exceeds the
2865 average number of interns employed by the taxpayer per year over the previous 3 years. An

2866 intern shall not be qualified if the intern participating in another internship or apprenticeship
2867 program for which an employer has claimed a credit in the taxable year under this subsection or
2868 chapter 63.

2869 (3) The total cumulative value of the credits authorized pursuant to this subsection and
2870 section 38SS of chapter 63 shall not exceed \$10,000,000 annually. An employer shall not claim
2871 more than \$100,000 in credits under this subsection for any taxable year. A credit allowed under
2872 this subsection shall not be transferable.

2873 (4) The credit under this subsection shall be attributed on a pro rata basis to the owners,
2874 partners or members of the legal entity entitled to the credit under this subsection and shall be
2875 allowed as a credit against the tax due under this chapter of such owners, partners or members, in
2876 a manner determined by the commissioner.

2877 (5) The executive office of economic development, in consultation with the
2878 commissioner, shall authorize, administer and determine eligibility for the tax credit pursuant to
2879 this subsection and section 38SS of chapter 63 and shall allocate the credit in accordance with
2880 the standards and requirements set forth in regulations promulgated pursuant to this subsection.
2881 The secretary of economic development, in consultation with the commissioner, shall
2882 promulgate regulations establishing an application process for the credit.

2883 (6) The secretary of economic development shall annually file a report with the house and
2884 senate committees on ways and means, the joint committee on economic development and
2885 emerging technologies and the joint committee on labor and workforce development identifying
2886 the following: (i) total amount of tax credits claimed pursuant to this subsection and section
2887 38SS of chapter 63; (ii) the number of participating interns; and (iii) the number of participating

2888 employers. In the fourth submission of said annual report, the secretary of economic
2889 development shall provide an assessment of the effectiveness of the credit offered under this
2890 subsection and section 38SS of chapter 63 in achieving the goal of retaining graduating talent in
2891 the commonwealth. Notwithstanding section 21 of chapter 62C, the department of revenue may
2892 provide to the secretary of economic development de-identified, statistical tax return information
2893 related to the tax filings of former participating interns for the 5 tax years beginning after the
2894 conclusion of the internship to evaluate whether former interns are employed and domiciled in
2895 the commonwealth after the internship; provided, that such information shall be shared in a
2896 manner that prevents the identification of particular tax returns.

2897 (ii)(1) As used in this subsection, the following words shall, unless the context clearly
2898 requires otherwise, have the following meanings:

2899 “Digital”, a system that uses discrete, or discontinuous, values ordinarily symbolized
2900 numerically to represent information for input, processing, transmission and storage. A digital
2901 system shall be contrasted with an “analog” system, which uses a continuous range of values to
2902 represent information. The term “digital” shall include, but shall not be limited to, information
2903 input, processed, transmitted and stored via the Internet.

2904 “Digital interactive media”, products or platforms that: (i) are intended for commercial
2905 production, use or distribution; (ii) contain at least 2 of the following types of data: text, sound,
2906 fixed images, animated images, video, video effects or 3D geometry; and (iii) are digital,
2907 interactive and media. Digital interactive media shall not include: (A) software development
2908 designed and developed primarily for internal or operational purposes of the company; (B)
2909 largely static Internet sites designed to provide information about a person, business, company or

2910 firm; (C) products regulated under the applicable gambling law; or (D) obscene material or
2911 performance or a game designed primarily for private, political, industrial, corporate or
2912 institutional purposes.

2913 “Digital interactive media production company”, a company, including any subsidiaries,
2914 engaged in the business of producing digital interactive media. A digital interactive media
2915 production company shall not include any company which is more than 25 per cent owned,
2916 affiliated or controlled, by any company or person that is in default on a loan made by the
2917 commonwealth or a loan guaranteed by the commonwealth.

2918 “Digital interactive media production expense”, all expenditures that clearly and
2919 demonstrably occurred in the commonwealth directly relating to digital interactive media
2920 production to be used in the production of the end product under development, including, but not
2921 limited to, testing software, source code development, patches, updates, sprites, 3-dimensional
2922 models, engine development and other back-end programming activities, performance and
2923 motion capture, audio production, tool development, original scoring, and level design; costs
2924 associated with photography and sound synchronization, lighting and related services; live
2925 operations, information technology support, data analysis and activities related to a community
2926 of users; rental of facilities and equipment; purchase of prepackaged audio files, video files,
2927 photographic files or libraries; purchase of licenses to use pre-recorded audio files, video or
2928 photographic files; development costs associated with producing audio files and video files;
2929 provided, that digital interactive media production expenses shall include all professionals whose
2930 work is directly related to the digital interactive media, including accountants and lawyers.
2931 Digital interactive media production expenses shall not include: (i) expenditures for or related to
2932 marketing, promotion and distribution; (ii) administrative, payroll and management services

2933 which are not directly related to digital interactive media management or production; (iii)
2934 amounts that are later reimbursed by the commonwealth, (iv) costs related to the transfer of tax
2935 credits; and (v) amounts that are paid to persons or entities as a result of their participation in
2936 profits from the exploitation of the production.

2937 “Interactive”, a digital media system for inputting, processing, transmitting or storing
2938 information or data in which users of the system are able to respond to the digital media system
2939 by inputting, transmitting, processing or storing information or data in response to the
2940 information or data provided to them through the digital media system. Digital media system
2941 shall include communications delivered via electronic energy where the information stored,
2942 transmitted or received is in digital form.

2943 “Media”, communication tools used to store, transmit, distribute and deliver information
2944 and data, including methods and mechanisms for information distribution through distributed
2945 networks, such as the Internet, and through physical media including compact disc, CD-ROM,
2946 various types of DVD and other removable storage drives and devices.

2947 (2) A taxpayer engaged in the making of digital interactive media shall be allowed a
2948 credit against the taxes imposed by this chapter for the employment of persons within the
2949 commonwealth in connection with the production of digital interactive media in the
2950 commonwealth within any consecutive 12-month period. The credit shall be equal to an amount
2951 not more than 25 per cent of the total aggregate payroll paid by a digital interactive media
2952 production company that constitutes Massachusetts source income, when total digital interactive
2953 media production expenses incurred in the commonwealth equal or exceed \$50,000 during the

2954 taxable year. For purposes of this subsection, the term “total aggregate payroll” shall not include
2955 the salary of any employee whose salary is equal to or greater than \$1,000,000.

2956 (3) A taxpayer shall be allowed an additional credit against the taxes imposed by this
2957 chapter equal to 25 per cent of all digital interactive media production expenses, not including
2958 the payroll expenses used to claim a credit pursuant to paragraph (2), where the production takes
2959 place in a gateway municipality.

2960 (4) The tax credit shall be taken against the taxes imposed under this chapter and shall, at
2961 the election of the taxpayer, be refundable to the extent provided for in section 3N of chapter
2962 23A. Any amount of the tax credit that exceeds the tax due for a taxable year may be carried
2963 forward by the taxpayer to any of the 5 subsequent taxable years.

2964 (5)(1) All or any portion of tax credits issued in accordance with this subsection may be
2965 transferred, sold or assigned to other taxpayers with tax liabilities under this chapter or chapter
2966 63. Any tax credit that is transferred, sold or assigned and taken against taxes imposed by this
2967 chapter or said chapter 63 shall not be refundable. Any amount of the tax credit that exceeds the
2968 tax due for a taxable year may be carried forward by the transferee, buyer or assignee to any of
2969 the 5 subsequent taxable years from which a certificate is initially issued by the department of
2970 revenue.

2971 (2) An owner or transferee desiring to make a transfer, sale or assignment shall submit to
2972 the commissioner a statement which describes the amount of tax credit for which the transfer,
2973 sale or assignment of tax credit is eligible. The owner or transferee shall provide to the
2974 commissioner information as the commissioner may require for the proper allocation of the
2975 credit. The commissioner shall provide to the taxpayer a certificate of eligibility to transfer, sell

2976 or assign the tax credits. The commissioner shall not issue a certificate to a taxpayer that has an
2977 outstanding tax obligation with the commonwealth in connection with any digital interactive
2978 media for any prior taxable year. A tax credit shall not be transferred, sold or assigned without a
2979 certificate.

2980 (6) The commissioner, in consultation with the Massachusetts office of business
2981 development, shall promulgate regulations necessary for the administration of this subsection.

2982 SECTION 104. Subsection (a) of section 31M of chapter 63 of the General Laws, as so
2983 appearing, is hereby amended by striking out the definition of “Life sciences” and inserting in
2984 place thereof the following definition:-

2985 “Life sciences”, advanced and applied sciences that expand the understanding of human
2986 physiology and have the potential to lead to medical advances or therapeutic applications,
2987 including, but not limited to, agricultural biotechnology, biogenerics, bioinformatics, biomedical
2988 engineering, biopharmaceuticals, biotechnology, biosecurity, life sciences related artificial
2989 intelligence, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis,
2990 marine biology, marine technology, medical technology, medical devices, nanotechnology,
2991 natural product pharmaceuticals, proteomics, regenerative and preventative medicine, RNA
2992 interference, stem cell research and veterinary science.

2993 SECTION 105. Subsection (j) of section 38M of said chapter 63, as so appearing, is
2994 hereby amended by striking out, in lines 120 to 121, the words “and (ii) equipment for the
2995 federal National Aeronautics and Space Administration”, and inserting in place thereof the
2996 following words:-

2997 (ii) equipment for the federal National Aeronautics and Space Administration; and (iii)
2998 medical countermeasures, including, but not limited to: (A) medicines and medical supplies that
2999 can be used to diagnose, prevent or treat diseases related to chemical, biological, radiological or
3000 nuclear threats; (B) biologic products, vaccines, blood products and antibodies; and (C)
3001 antimicrobial or antiviral drugs, diagnostic tests to identify threat agents and personal protective
3002 equipment.

3003 SECTION 106. Paragraph (1) of subsection (k) of said section 38M of said chapter 63, as
3004 so appearing, is hereby amended by striking out the definition of “Life sciences” and inserting in
3005 place thereof the following 3 definitions:-

3006 “Climatetech”, as defined in section 1 of chapter 23J.

3007 “Climatetech company”, as defined in section 1 of chapter 23J.

3008 “Life sciences”, advanced and applied sciences that expand the understanding of human
3009 physiology and have the potential to lead to medical advances or therapeutic applications,
3010 including, but not limited to, agricultural biotechnology, biogenerics, bioinformatics, biomedical
3011 engineering, biopharmaceuticals, biotechnology, biosecurity, life sciences related artificial
3012 intelligence, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis,
3013 marine biology, marine technology, medical technology, medical devices, nanotechnology,
3014 natural product pharmaceuticals, proteomics, regenerative and preventative medicine, RNA
3015 interference, stem cell research and veterinary science.

3016 SECTION 107. Said paragraph (1) of said subsection (k) of said section 38M of said
3017 chapter 63, as so appearing, is hereby further amended by striking out the definition of
3018 “Taxpayer” and inserting in place thereof the following definition:-

3019 “Taxpayer”, a person, certified life sciences company or certified climatetech company
3020 subject to the taxes imposed by this chapter or chapters 62, 64H or 64I.

3021 SECTION 108. Paragraph (2) of said subsection (k) of said section 38M of said chapter
3022 63, as so appearing, is hereby amended by inserting after the figure “23I”, in line 144, the
3023 following words:- or the climatetech tax incentive program established in subsection (d) of
3024 section 16 of chapter 23J.

3025 SECTION 109. Section 38N of said chapter 63, as amended by section 229 of chapter 7
3026 of the acts of 2023, is hereby further amended by striking out subsection (a) and inserting in
3027 place thereof the following subsection:-

3028 (a) As used in this section, “Certified project”, “EDIP contract”, “Proportion of
3029 compliance” and “Refundable credit” shall have the same meanings as ascribed to them in
3030 section 3A of chapter 23A.

3031 SECTION 110. Said section 38N of said chapter 63 is hereby further amended by striking
3032 out, in lines 7 to 10, inclusive, as appearing in the 2022 Official Edition, the words “, up to an
3033 amount equal to 50 per cent of the liability in a taxable year; provided, however, that the 50 per
3034 cent limitation shall not apply where the credit is refundable under subsection (d)”.

3035 SECTION 111. Said section 38N of said chapter 63 is hereby further amended by striking
3036 out, in lines 13 to 17, inclusive, as so appearing, the words “; provided, however, that a credit
3037 awarded in connection with a certified project that will retain permanent full-time employees in a
3038 gateway municipality without creating a net increase in permanent full-time employees shall not
3039 exceed \$5,000 per retained employee”.

3040 SECTION 112. Said section 38N of said chapter 63 is hereby further amended by striking
3041 out, in line 27, as so appearing, the word “or”, the second time it appears, and inserting in place
3042 thereof the following word:- of.

3043 SECTION 113. Said section 38N of said chapter 63 is hereby further amended by striking
3044 out, in line 29, as so appearing, the word “or”, the second time it appears, and inserting in place
3045 thereof the following word:- of.

3046 SECTION 114. The second paragraph of said subsection (c) of said section 38N of said
3047 chapter 63, as so appearing, is hereby further amended by adding the following sentence:-
3048 Notwithstanding section 21 of chapter 62C, the department of revenue shall provide the EACC
3049 with documentation confirming credits claimed under this section by a corporation subject to tax
3050 under this chapter that is the controlling business of a certified project or an affiliate of a
3051 controlling business.

3052 SECTION 115. Said section 38N of said chapter 63 is hereby further amended by striking
3053 out, in line 46, as so appearing, the words “31A or”.

3054 SECTION 116. Subsection (i) of said section 38N of said chapter 63, as so appearing, is
3055 hereby amended by striking out the last sentence and inserting in place thereof the following
3056 sentence:- The amount of credits subject to recapture shall be equal to the corporation’s
3057 proportion of compliance, as determined by the EACC as part of its revocation process and
3058 reported to the corporation and the department of revenue at the time certification is revoked.

3059 SECTION 117. Subsection (a) of section 38U of said chapter 63, as so appearing, is
3060 hereby amended by striking out the definition of “Life sciences” and inserting in place thereof
3061 the following definition:-

3062 “Life sciences”, advanced and applied sciences that expand the understanding of human
3063 physiology and have the potential to lead to medical advances or therapeutic applications,
3064 including, but not limited to, agricultural biotechnology, biogenerics, bioinformatics, biomedical
3065 engineering, biopharmaceuticals, biotechnology, biosecurity, life sciences related artificial
3066 intelligence, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis,
3067 marine biology, marine technology, medical technology, medical devices, nanotechnology,
3068 natural product pharmaceuticals, proteomics, regenerative and preventative medicine, RNA
3069 interference, stem cell research and veterinary science.

3070 SECTION 118. Said chapter 63 is hereby further amended by inserting after section
3071 38NN the following 6 sections:-

3072 Section 38OO. (a) As used in this section, the following words shall, unless the context
3073 clearly requires otherwise, have the following meanings:

3074 “Advertising and public relations expenditure”, a cost incurred within the
3075 commonwealth by an eligible theater production for goods or services related to the marketing,
3076 public relations, creation and placement of print, electronic, television, billboards or other forms
3077 of advertising to promote the eligible theater production.

3078 “Eligible theater production”, a live stage musical, dance or theatrical production or tour
3079 being presented in a qualified production facility that is either: (a) a pre-Broadway production;
3080 (b) a pre-off Broadway production; or (c) a national tour launch; or (d) a regional professional
3081 theater production.

3082 “Eligible theater production certificate”, a certificate issued by the office, in
3083 consultation with the commissioner, certifying that a production is an eligible theater production

3084 that meets the rules or regulations of the office, and that it has been awarded a tax credit in a
3085 specified amount, pursuant to section 3M of chapter 23A.

3086 “National tour launch”, a live stage production that, in its original or adaptive version, is
3087 performed in a qualified production facility and opens its national tour in the commonwealth.

3088 “Office”, the Massachusetts office of business development established in section 1 of
3089 chapter 23A, or any constituent office thereof.

3090 “Payroll”, all salaries, wages, fees and other compensation from sources within the
3091 commonwealth, including, but not limited to, taxes, benefits and any other consideration
3092 incurred or paid to talent and non-talent employees of the applicant for services rendered within
3093 the commonwealth to and on behalf of an eligible theater production; provided, that the payroll
3094 expenditure shall be incurred or paid by the applicant for services related to any portion of an
3095 eligible theater production from its pre-production stages, including, but not limited to: (i) the
3096 writing of the script, (ii) casting, (iii) hiring of service providers, (iv) purchases from vendors,
3097 (v) marketing, (vi) advertising, (vii) public relations, (viii) load in, (ix) rehearsals, (x)
3098 performances, (xi) other eligible theater production related activities, and (xii) load out; and
3099 provided further, that the payroll expenditure shall be directly attributable to the eligible theater
3100 production and shall be limited to the first \$100,000 of wages incurred or paid to each employee
3101 of an eligible theater production in each tax year.

3102 “Pre-Broadway production”, a live stage production that, in its original or
3103 adaptive version, is performed in a qualified production facility having a presentation scheduled
3104 for the city of New York’s Broadway theater district within 24 months after its presentation in
3105 the commonwealth.

3106 “Pre-off Broadway production”, a live stage production that, in its original or adaptive
3107 version, is performed in a qualified production facility having a presentation scheduled for the
3108 city of New York’s off-Broadway theater district within 24 months after its presentation in the
3109 commonwealth.

3110 “Production and performance expenditures”, a contemporaneous exchange of cash or
3111 cash equivalent for goods or services related to development, production, performance or
3112 operating expenditures incurred in the commonwealth for a qualified theater production,
3113 including, but not limited to, expenditures for design, construction and operation, including
3114 sets, special and visual effects, costumes, wardrobes, make-up, accessories, costs associated
3115 with sound, lighting, staging, advertising and public relations expenditures, facility expenses,
3116 rentals, per diems, accommodations and other related costs.

3117 “Qualified production facility”, a facility located in the commonwealth in which
3118 live theater productions are, or are intended to be, exclusively presented that contains at least 1
3119 stage, a seating capacity of not less than 175 seats, dressing rooms, storage areas and other
3120 ancillary amenities necessary for the eligible theater production.

3121 “Regional professional theater production”, a live stage production that is performed in a
3122 qualified production facility with a professional cast and crew.

3123 “Transportation expenditures”, expenses incurred in the commonwealth for the
3124 packaging, crating and transportation both to the commonwealth for use in a qualified theater
3125 production of sets, costumes or other tangible property constructed or manufactured outside the
3126 commonwealth, or from the commonwealth after use in a qualified theater production of sets,
3127 costumes or other tangible property constructed or manufactured in the commonwealth and the

3128 transportation of the cast and crew to and from the commonwealth; provided, that “transportation
3129 expenditures” shall include any portion performed in the commonwealth of the packaging,
3130 crating and transporting of property and equipment used for special and visual effects, sound,
3131 lighting and staging, costumes, wardrobes, make-up and related accessories and materials and
3132 any other performance or production-related property and equipment.

3133 (b) Any taxpayer that has been awarded an eligible theater production certificate and has
3134 completed a cost accounting pursuant to subsection (c) of section 3M of chapter 23A shall be
3135 allowed a tax credit against taxes imposed by this chapter. The credit shall not exceed
3136 \$7,000,000 and shall be equal to: (i) 35 per cent of the total in-state payroll costs; (ii) 25 per cent
3137 of the production and performance expenditures; and (iii) 25 per cent of transportation
3138 expenditures. Additionally, the credit shall not exceed the amount of credit specified in the
3139 eligible theater production certificate.

3140 (c) The tax credit shall be allowed against the tax for the taxable period in which the
3141 credit is issued and any amount of the tax credit that exceeds the tax due for a taxable year
3142 may be carried forward for not more than 5 succeeding tax years.

3143 (d) If a taxpayer has not claimed the tax credits in whole or part, a taxpayer eligible
3144 for the tax credits may assign, transfer or convey the tax credits, in whole or in part, by sale or
3145 otherwise to any individual or entity and such assignee of the tax credits that have not
3146 claimed the tax credits, in whole or in part, may assign, transfer or convey the tax credits, in
3147 whole or in part, by sale or otherwise to any individual or entity. The assignee of the tax credits
3148 may use acquired credits to offset up to 100 per cent of the tax liabilities otherwise imposed
3149 pursuant to this chapter. The assignee may apply the tax credits against taxes imposed on the

3150 assignee for not more than 5 succeeding tax years from the date an eligible theater production
3151 certificate is first issued by the office. The assignor shall perfect the transfer by notifying the
3152 commissioner, in writing, within 30 calendar days following the effective date of the transfer and
3153 shall provide any information as may be required by the commissioner to administer and carry
3154 out this section.

3155 (e) Credits allowed to corporations that are included in a combined group within
3156 the meaning of section 32B may be shared with other corporations within such group that are
3157 also doing business in the commonwealth, to the extent those corporations are engaged in a
3158 unitary business.

3159 (f) Credits allowed to a company that is an S corporation, as defined in section 1361 of
3160 the Code, partnership or a limited liability company that is taxed as a partnership shall be
3161 passed through respectively to persons designated as partners, members or owners of such
3162 companies on a pro rata basis or pursuant to an executed agreement among such persons
3163 designated as S corporation shareholders, partners or members documenting an alternate
3164 distribution method without regard to their sharing of other tax or economic attributes of such
3165 entity.

3166 (g) The commissioner shall promulgate such rules and regulations necessary for
3167 the administration of this section.

3168 Section 38PP. (a) As used in this section, the following words shall, unless the context
3169 clearly requires otherwise, have the following meanings:

3170 “Capital investment”, expenses incurred for the site preparation and construction, repair,
3171 renovation, improvement or equipping of a building, structure, facility or other improvements to

3172 real property, including, but not limited to, site-related utility and transportation infrastructure
3173 improvements.

3174 “Center”, the Massachusetts clean energy technology center established in section 2 of
3175 chapter 23J.

3176 “Certified climatetech company”, a climatetech company, as defined in section 1 of
3177 chapter 23J.

3178 “Climatetech facility”, any building, complex of buildings or structural components of
3179 buildings, including access infrastructure, and all machinery and equipment used in the research,
3180 manufacturing, assembly, development, provision, or administration of goods or services in the
3181 climatetech sector.

3182 “Owner”, a taxpayer subject to tax under this chapter that: (i) is a corporation that holds
3183 title to a climatetech facility; or (ii) ground leases the land underlying a climatetech facility for at
3184 least 50 years.

3185 “Tenant”, a taxpayer subject to tax under this chapter that is a lessee in climatetech
3186 facility.

3187 (b) An owner or tenant, to the extent authorized by the climatetech tax incentive program
3188 established in section 16 of chapter 23J, may be allowed a refundable credit against the taxes
3189 imposed under this chapter, in an amount up to 50 per cent of the owner’s total capital
3190 investment in a climatetech facility. The total amount of tax credit awarded pursuant to this
3191 section shall be distributed in equal parts over the 5 taxable years that correspond to the period in
3192 which the owner or tenant is certified pursuant to said section 16 of said chapter 23J.

3193 (c) An owner shall be eligible for a tax credit authorized under this section if the owner
3194 demonstrates to the center that: (i) the owner is a certified climatetech company; (ii) the owner's
3195 total capital investment in the climatetech facility equals not less than \$5,000,000; and (iii) the
3196 climatetech facility shall employ not less than 50 new full-time employees by the fifth year of the
3197 owner's certification period under section 16 of chapter 23J. Upon verification, the center shall
3198 provide this information to the department of revenue for the purpose of administering the credit.

3199 (d) A tenant shall be eligible for a tax credit authorized pursuant to this section if the
3200 tenant demonstrates to the center that: (i) the tenant is a certified climatetech company; (ii) the
3201 owner has made a total capital investment in the facility that is not less than \$5,000,000; (iii) the
3202 tenant occupies a leased area of the climatetech facility that represents not less than 25 per cent
3203 of the total leasable square footage of the facility; and (iv) the tenant shall employ not less than
3204 13 full-time employees by the fifth year of the tenant's certification period under section 16 of
3205 chapter 23J. Upon verification, the center shall provide this information to the department of
3206 revenue for the purpose of administering the credit. The amount of tax credits awarded under this
3207 section to a tenant for a taxable year shall not exceed the tenant's total lease payments for
3208 occupancy of the climatetech facility for the taxable year.

3209 (e) The department of revenue shall issue the refundable portion of the credit without
3210 further appropriation and in accordance with the cumulative amount, including the current year
3211 costs of incentives allowed in previous years, which shall not exceed \$30,000,000 annually as set
3212 forth in subsection (d) of section 16 of chapter 23J.

3213 (f) The department of revenue shall promulgate such rules and regulations as are
3214 necessary to administer the credit established in this section.

3215 Section 38QQ. (a) For the purposes of this section, unless the context clearly requires
3216 otherwise, the terms “qualified research expenses”, “base amount”, “qualified organization base
3217 period amount”, “basic research” and any other terms affecting the calculation of the credit shall
3218 have the same meanings as under section 41(e)(1)(A) of the Internal Revenue Code as amended
3219 and in effect on August 12, 1991.

3220 (b)(1) A taxpayer may, to the extent authorized pursuant to the climatetech tax incentive
3221 program established by section 16 of chapter 23J, be allowed a credit against its excise due under
3222 this chapter equal to the sum of 10 per cent of the excess, if any, of the qualified research
3223 expenses for the taxable year, over the base amount, and 15 per cent of the basic research
3224 payments determined pursuant to section 41(e)(1)(A) of said Code.

3225 (2) In determining the amount of the credit allowable under this section, the
3226 commissioner may aggregate the activities of all corporations that are members of a controlled
3227 group of corporations, as defined in section 41(f)(1)(A) of said Code, and may aggregate the
3228 activities of all entities, whether or not incorporated, that are under common control, as defined
3229 in section 41(f)(1)(B) of said Code.

3230 (c) For a qualified climatetech company, research and development costs, within the
3231 meaning of section 41 of the Code, shall include, those qualified research expenditures that are
3232 performed both inside and outside of the commonwealth.

3233 (d) For purposes of section 30, the deduction from gross income that may be taken with
3234 respect to any expenditures qualifying for a credit under said section 41 of said Code shall be
3235 based upon its cost less the credit allowable under this section; provided, however, that section
3236 280C(c) of the Code shall not apply.

3237 (e) The credit allowed hereunder for any taxable year shall not reduce the excise to less
3238 than the amount due under subsection (b) of section 32, subsection (b) of section 39, section 67
3239 or under any other general or special law.

3240 (f) The credit allowed under this section shall be limited to 100 per cent of a
3241 corporation's first \$25,000 of excise, as determined before the allowance of any credits, plus 75
3242 per cent of the corporation's excise, as so determined in excess of \$25,000. The commissioner of
3243 revenue shall promulgate regulations similar to those authorized under section 38(c)(2)(B) of the
3244 Code for purposes of apportioning the \$25,000 amount among members of a controlled group.
3245 Nothing in this section shall alter section 32C, as it affects other credits under this chapter.

3246 (g) If a corporation files a combined return of income under section 32B, a credit
3247 generated by an individual member corporation under this section shall first be applied against
3248 the excise attributable to that company under sections 32 or 39, subject to the limitations of
3249 subsections (d) and (e). A member corporation with an excess research and development credit
3250 may apply its excess credit against the excise of another group member if such other member
3251 corporation may use additional credits under the limitations of subsections (e) and (f). Unused,
3252 unexpired credits generated by a member corporation shall be carried over from year to year by
3253 the individual corporation that generated the credit and shall not be refundable. Nothing in this
3254 section shall alter subsection (h) of section 31A.

3255 (h) A corporation entitled to a credit under this section for any taxable year may carry
3256 over and apply to its excise for any of the next succeeding 15 taxable years that portion, as
3257 reduced from year to year, of its credit which exceeds its excise for the taxable year. A

3258 corporation may carry over and apply to its excise for any subsequent taxable year that portion,
3259 as reduced from year to year, of those credits which were not allowed by subsection (g).

3260 (i) The commissioner of revenue shall promulgate regulations necessary to carry out this
3261 section.

3262 Section 38RR. (a) A taxpayer, to the extent authorized by the climatetech tax incentive
3263 program established in subsection (d) of section 16 of chapter 23J, may be allowed a refundable
3264 jobs credit against the tax liability imposed under this chapter in an amount determined by the
3265 Massachusetts clean energy technology center established in section 2 of said chapter 23J, in
3266 consultation with the department of revenue.

3267 (b) A taxpayer taking a credit under this section shall commit to the creation of not less
3268 than 5 net new permanent full-time employees in the commonwealth.

3269 (c) A credit allowed under this section shall reduce the liability of the taxpayer under this
3270 chapter for the taxable year. If a credit claimed under this section by a taxpayer exceeds the
3271 taxpayer's liability as otherwise determined under this chapter for the taxable year, 90 per cent of
3272 such excess credit, to the extent authorized by the climatetech tax incentive program, shall be
3273 refundable to the taxpayer. Excess credit amounts shall not be carried forward to other taxable
3274 years.

3275 (d) The department of revenue shall issue the refundable portion of the jobs credit
3276 without further appropriation and in accordance with the cumulative amount, including the
3277 current year costs of incentives allowed in previous years, which shall not exceed \$30,000,000
3278 annually as set forth in subsection (d) of section 16 of chapter 23J.

3279 Section 38SS. (a) A business corporation engaged in business in the commonwealth may
3280 be allowed a credit each taxable year against the liability imposed by this chapter in an amount
3281 equal to \$5,000 or 50 per cent of the wages paid to each net-new qualified intern employed in the
3282 taxable year, whichever is less. If a credit allowed pursuant to this section exceeds the tax
3283 otherwise due under this chapter, 100 per cent of the balance of such credit may, at the option of
3284 the taxpayer, be refunded to the taxpayer.

3285 (b) For an employer to be eligible for a credit under this section: (i) the intern shall be
3286 enrolled in or a recent graduate of a public or private institution of higher education located in
3287 the commonwealth; (ii) the intern shall have been employed as a qualified intern by the employer
3288 for at least 12 weeks in the taxable year for which the credit is claimed; and (iii) the employer
3289 shall demonstrate that the total number of interns employed in the taxable year exceeds the
3290 average number of interns employed by the taxpayer per year over the previous 3 years. An
3291 intern shall not be qualified if the intern is participating in another internship or apprenticeship
3292 program for which an employer has claimed a credit in the taxable year under this chapter or
3293 subsection (hh) of section 6 of chapter 62.

3294 (c) The total cumulative value of the credits authorized pursuant to this section and
3295 subsection (hh) of section 6 of chapter 62 shall not exceed \$10,000,000 annually. An employer
3296 shall not claim more than \$100,000 in credits under this section for any taxable year. A credit
3297 allowed under this section shall not be transferable.

3298 (d) The executive office of economic development, in consultation with the
3299 commissioner, shall authorize, administer and determine eligibility for the tax credit pursuant to
3300 this section and subsection (hh) of section 6 chapter 62 and shall allocate the credit in accordance

3301 with the standards and requirements set forth in regulations promulgated pursuant to this section.
3302 The secretary of economic development, in consultation with the commissioner, shall
3303 promulgate regulations establishing an application process for the credit.

3304 (e) The secretary of economic development shall annually file a report with the house and
3305 senate committees on ways and means, the joint committee on economic development and
3306 emerging technologies and the joint committee on labor and workforce development identifying
3307 the following: (i) total amount of tax credits claimed pursuant to this section and subsection (hh)
3308 of section 6 of chapter 62; (ii) the number of participating interns; and (iii) the number of
3309 participating employers. In the fourth submission of said annual report, the secretary of
3310 economic development shall provide an assessment of the effectiveness of the credit offered
3311 under this section and subsection (hh) of section 6 of chapter 62 in achieving the goal of
3312 retaining graduating talent in the commonwealth. Notwithstanding section 21 of chapter 62C, the
3313 department of revenue may provide to the secretary of economic development de-identified,
3314 statistical tax return information related to the tax filings of former participating interns for the 5
3315 tax years beginning after the conclusion of the internship to evaluate whether former interns are
3316 employed and domiciled in the commonwealth after the internship; provided, that such
3317 information shall be shared in a manner that prevents the identification of particular tax returns.

3318 Section 38TT. (a) As used in this section, the following words shall, unless the context
3319 clearly requires otherwise, have the following meanings:

3320 “Digital”, a system that uses discrete, or discontinuous, values ordinarily symbolized
3321 numerically to represent information for input, processing, transmission and storage. A digital
3322 system shall be contrasted with an analog system, which uses a continuous range of values to

3323 represent information. The term “digital” shall include, but shall not be limited to, information
3324 input, processed, transmitted and stored via the Internet.

3325 “Digital interactive media”, products or platforms that: (i) are intended for commercial
3326 production, use or distribution; (ii) contain at least 2 of the following types of data: text, sound,
3327 fixed images, animated images, video, video effects or 3D geometry; and (iii) are digital,
3328 interactive and media. Digital interactive media shall not include: (A) software development
3329 designed and developed primarily for internal or operational purposes of the company; (B)
3330 largely static Internet sites designed to provide information about a person, business, company or
3331 firm; (C) products regulated under the applicable gambling law; or (D) obscene material or
3332 performance or a game designed primarily for private, political, industrial, corporate or
3333 institutional purposes.

3334 “Digital interactive media production company”, a company, including any subsidiaries,
3335 engaged in the business of producing digital interactive media. A digital interactive media
3336 production company shall not include any company which is more than 25 per cent owned,
3337 affiliated or controlled, by any company or person that is in default on a loan made by the
3338 commonwealth or a loan guaranteed by the commonwealth.

3339 “Digital interactive media production expense”, all expenditures that clearly and
3340 demonstrably occurred in the commonwealth directly relating to digital interactive media
3341 production to be used in the production of the end product under development, including, but not
3342 limited to, testing software, source code development, patches, updates, sprites, 3-dimensional
3343 models, engine development and other back-end programming activities, performance and
3344 motion capture, audio production, tool development, original scoring, and level design; costs

3345 associated with photography and sound synchronization, lighting and related services; live
3346 operations, information technology support, data analysis and activities related to a community
3347 of users; rental of facilities and equipment; purchase of prepackaged audio files, video files,
3348 photographic, or libraries; purchase of licenses to use pre-recorded audio files, video, or
3349 photographic files; development costs associated with producing audio files and video files;
3350 provided, that digital interactive media production expenses shall include all professionals whose
3351 work is directly related to the digital interactive media, including accountants and lawyers.
3352 Digital interactive media production expenses shall not include: (i) expenditures for or related to
3353 marketing, promotion and distribution; (ii) administrative, payroll and management services
3354 which are not directly related to digital interactive media management or production; (iii)
3355 amounts that are later reimbursed by the commonwealth, (iv) costs related to the transfer of tax
3356 credits; and (v) amounts that are paid to persons or entities as a result of their participation in
3357 profits from the exploitation of the production.

3358 “Interactive”, a digital media system for inputting, processing, transmitting or storing
3359 information or data in which users of the system are able to respond to the digital media system
3360 by inputting, transmitting, processing or storing information or data in response to the
3361 information or data provided to them through the digital media system. Digital media system
3362 shall include communications delivered via electronic energy where the information stored,
3363 transmitted or received is in digital form.

3364 “Media”, communication tools used to store, transmit, distribute and deliver information
3365 and data, including methods and mechanisms for information distribution through, distributed
3366 networks, such as the Internet, and through physical media including compact disc, CD-ROM,
3367 various types of DVD and other removable storage drives and devices.

3368 (b) A taxpayer engaged in the making of digital interactive media shall be allowed a
3369 credit against the taxes imposed by this chapter for the employment of persons within the
3370 commonwealth in connection with the production of digital interactive media in the
3371 commonwealth within any consecutive 12-month period. The credit shall be equal to an amount
3372 not more than 25 per cent of the total aggregate payroll paid by a digital interactive media
3373 production company that constitutes Massachusetts source income, when total digital interactive
3374 media production expenses incurred in the commonwealth equal or exceed \$50,000 during the
3375 taxable year. For purposes of this subsection, the term “total aggregate payroll” shall not include
3376 the salary of any employee whose salary is equal to or greater than \$1,000,000.

3377 (c) A taxpayer shall be allowed an additional credit against the taxes imposed by this
3378 chapter equal to 25 per cent of all digital interactive media production expenses, not including
3379 the payroll expenses used to claim a credit pursuant to subsection (b), where the production takes
3380 place in a gateway municipality.

3381 (d) The tax credit shall be taken against the taxes imposed under this chapter and shall, at
3382 the election of the taxpayer, be refundable to the extent provided for in section 3N of chapter
3383 23A. Any amount of the tax credit that exceeds the tax due for a taxable year may be carried
3384 forward by the taxpayer to any of the 5 subsequent taxable years.

3385 (e)(1) All or any portion of tax credits issued in accordance with this subsection may be
3386 transferred, sold or assigned to other taxpayers with tax liabilities under this chapter or chapter
3387 62. Any tax credit that is transferred, sold or assigned and taken against taxes imposed by this
3388 chapter or said chapter 62 shall not be refundable. Any amount of the tax credit that exceeds the
3389 tax due for a taxable year may be carried forward by the transferee, buyer or assignee to any of

3390 the 5 subsequent taxable years from which a certificate is initially issued by the department of
3391 revenue.

3392 (2) An owner or transferee desiring to make a transfer, sale or assignment shall submit to
3393 the commissioner a statement which describes the amount of tax credit for which the transfer,
3394 sale or assignment of tax credit is eligible. The owner or transferee shall provide to the
3395 commissioner information as the commissioner may require for the proper allocation of the
3396 credit. The commissioner shall provide to the taxpayer a certificate of eligibility to transfer, sell
3397 or assign the tax credits. The commissioner shall not issue a certificate to a taxpayer that has an
3398 outstanding tax obligation with the commonwealth in connection with any digital interactive
3399 media for any prior taxable year. A tax credit shall not be transferred, sold or assigned without a
3400 certificate.

3401 (f) The commissioner, in consultation with the Massachusetts office of business
3402 development, shall promulgate regulations necessary for the administration of this section.

3403 SECTION 119. Section 42B of said chapter 63, as appearing in the 2022 Official Edition,
3404 is hereby amended by striking out, in lines 50 and 51, the words “, a certified life sciences” and
3405 inserting in place thereof the following words:- or the climatetech tax incentive program
3406 established in section 16 of chapter 23J, a certified.

3407 SECTION 120. Section 6 of chapter 64H of the General Laws, as so appearing, is hereby
3408 amended by adding the following 3 paragraphs:-

3409 (yy)(1) Sales of tangible personal property purchased for a certified climatetech
3410 company, to the extent authorized pursuant to the climatetech tax incentive program established
3411 in section 16 of chapter 23J, for use in connection with the construction, alteration, remodeling,

3412 repair or remediation of research, development or manufacturing or other commercial facilities
3413 used for the provisions of goods or services in the climatetech sector and utility support systems.
3414 Only purchases made on or after the effective date of this paragraph shall be eligible for this
3415 exemption.

3416 (2) As used in this subsection, the following words shall, unless the context clearly
3417 requires otherwise, have the following meanings:

3418 “Climatetech”, as defined in section 1 of chapter 23J.

3419 “Climatetech company”, as defined in section 1 of chapter 23J.

3420 “Utility support systems”, all areas of utility support systems, including, but not limited
3421 to: site, civil, mechanical, electrical and plumbing systems.

3422 (zz)(1) Sales of tangible personal property to a qualifying digital interactive media
3423 company, as defined in subsection (ii) of section 6 of chapter 62, or to a digital interactive media,
3424 as defined in said subsection (ii), student project at an accredited school, for the production
3425 expenses related to a school digital interactive media project.

3426 (2) For the purposes of this paragraph, a qualifying digital interactive media production
3427 company shall expend in the aggregate not less than \$50,000 within the commonwealth in
3428 connection with the production in the commonwealth within any consecutive 12-month period
3429 and have the approval of the secretary of economic development and the commissioner.

3430 (3) Any digital interactive media production company that intends to produce all, or parts
3431 of, a digital interactive media production in the commonwealth and qualify for the exemption
3432 provided by this subsection shall provide an estimate of total expenditures to be made in the

3433 commonwealth in connection with the production digital interactive media and shall designate a
3434 member or representative of the digital interactive media production company as a primary
3435 liaison with the commissioner for the purpose of facilitating the proper reporting of expenditures
3436 and other information as required by the commissioner. The estimate of expenditures shall be
3437 filed no sooner than the beginning of the tax year for the qualified digital interactive media
3438 production company or within 90 days of the start of digital interactive media production
3439 expenses and before the end of digital interactive media production expenses or within 1 year
3440 after the end of tax year for the qualified digital interactive media production company claiming
3441 the tax credit. Any qualifying digital interactive production company that has been approved,
3442 which fails to expend \$50,000 within a consecutive 12-month period shall be liable for the sales
3443 taxes that would have been paid had the approval not been granted. The sales taxes shall be
3444 considered due as of the date that taxable expenditures were made.

3445 (4) The commissioner shall promulgate rules for the implementation of this subsection.

3446 (aaa)(1) Sales of: (A) eligible data center equipment for use in a qualified data center; (B)
3447 computer software for use in a qualified data center; (C) electricity for use or consumption in the
3448 operation of a qualified data center; or (D) construction costs incurred for the construction,
3449 renovation or refurbishment of a qualified data center.

3450 (2) If secretary revokes the certification of a qualified data center the commissioner shall,
3451 as of the effective date of the revocation, disallow any credits, exemptions or other tax benefits
3452 allowed by the original certification of tax benefits under this paragraph.

3453 (3) If the qualified data center is sold to a new owner prior to the expiration of the
3454 exemption, tax benefits under this paragraph shall remain in effect and apply to a subsequent
3455 owner for the remaining duration of the 20-year qualification period.

3456 (4) As used in this paragraph, the following words shall, unless the context clearly
3457 otherwise requires, have the following meanings:

3458 “Colocation tenant”, a person, partnership, company, corporation or other entity that
3459 contracts with or leases from the owner or operator of a qualified data center to use or occupy all
3460 or part of a qualified data center.

3461 “Computer software”, software purchased, leased, utilized or loaded at a qualified data
3462 center, including, but not limited to, maintenance, licensing and software customization.

3463 “Construction costs”, costs of materials, labor, services and equipment purchased or
3464 leased to construct a qualified data center facility, including, but not limited to, the cost of data
3465 center building, accessory building, building improvement, land development, site improvement,
3466 site utility infrastructure, building materials, steel, concrete, gravel, engineering services, heavy
3467 equipment, cranes, transportation equipment, excavation, storm water system and management,
3468 access roads, bridges, fencing, lighting, landscaping and other costs to construct the facility.

3469 “Eligible data center equipment”, computers and equipment supporting computing,
3470 networking, data processing or data storage, including, but not limited to: (i) servers and routers,
3471 computer servers and routers, connections, chassis, networking equipment, switches, racks, fiber
3472 optic and copper cables, trays, conduits and other enabling machinery, equipment and hardware;
3473 (ii) component parts, replacement parts and upgrades; (iii) cooling systems, cooling towers,
3474 chillers, mechanical equipment, HVAC equipment, refrigerant piping, fuel piping and storage,

3475 adiabatic and free cooling systems, water softeners, air handling units, indoor direct exchange
3476 units, fans, ducting, filters and other temperature control infrastructure; (iv) power infrastructure
3477 for transformation, generation, distribution, or management of electricity used for the operations
3478 and maintenance of a qualified data center, including, but not limited to, substations,
3479 switchyards, transformers, generators, uninterruptible power supplies, backup power generation
3480 systems, battery systems, energy efficiency measures, supplies, fuel piping and storage, duct
3481 banks, switches, switchboards, testing equipment and related utility infrastructure; (v)
3482 monitoring and security equipment; (vi) water conservation systems, including, but not limited
3483 to, equipment designed to collect, conserve and reuse water; (vii) modular data center equipment
3484 and preassembled components of any item described in this paragraph, including, but not limited
3485 to, components used in the manufacturing of modular data centers; and (viii) any other personal
3486 property or equipment that is used or consumed in the operation and maintenance of the qualified
3487 data center.

3488 “Qualified data center costs”, expenditures made for the construction, refurbishment,
3489 renovation or improvement of a facility to be used as a qualified data center, including, but not
3490 limited to, the cost of land, land development, site improvement, site utility infrastructure,
3491 construction, data center building, accessory building, building improvement and eligible data
3492 center equipment.

3493 “Qualified data center”, a facility in the commonwealth that:

3494 (A) is owned or leased by: (i) the operator of the data center facility; or (ii) a person,
3495 partnership, company, corporation or other entity under common ownership of the operator of
3496 the data center facility;

3497 (B) is comprised of 1 or more data center buildings that consist in the aggregate of not
3498 less than 100,000 square feet, and that are located on a single parcel, or on contiguous parcels,
3499 where the total eligible qualified data center costs of the data center facility are at least
3500 \$50,000,000 within a 10-year period from the effective date of the certification by the secretary
3501 as a qualified data center facility;

3502 (C) is constructed or substantially refurbished;

3503 (D) maintains a minimum of 100 jobs in the commonwealth; and

3504 (E) is used to house computer information technology equipment, networking, data
3505 processing or data storage, including, but not limited to, servers and routers for the storage,
3506 management, and dissemination of data and information where the facility has the following
3507 characteristics: (i) uninterruptible power supplies, generator backup power, or both; (ii)
3508 sophisticated fire suppression and prevention systems; and (iii) enhanced security; provided, that
3509 a qualified data center shall be considered to have enhanced security if it has restricted access to
3510 the facility to selected personnel, permanent security guards, video camera surveillance, an
3511 electronic system requiring pass codes, keycards or biometric scans or similar security features.

3512 “Qualification period”, a 20-year period of time beginning on the effective date of the
3513 certification by the secretary of the qualified data center for the first data center building, and
3514 expiring at the end of the twentieth full calendar year following the calendar year in which the
3515 certification became effective; provided, that if the qualified data center is comprised of more
3516 than 1 data center building, the qualification period for each subsequent data center building that
3517 is constructed at the qualified data center facility shall start when each data center building
3518 begins commercial operations, as evidenced by receipt of a certificate of occupancy, and shall

3519 continue for a period of 20 full calendar years, expiring at the end of the twentieth full calendar
3520 year following the calendar year each respective data center building began commercial
3521 operations.

3522 “Secretary”, the secretary of economic development.

3523 “Substantially refurbished”, a rebuild, modification or construction of not less than
3524 100,000 square feet of an existing facility that is a qualified data center where the total eligible
3525 qualified data center costs are not less than \$50,000,000 within a 10-year period from the
3526 effective date of the certification by the secretary as a qualified data center facility, including, but
3527 not limited to: (i) installation of computer information technology equipment, networking, data
3528 processing or data storage, including servers and routers, environmental control, computer
3529 software and energy efficiency improvements; and (ii) building improvements.

3530 (3) The commissioner shall promulgate regulations necessary for the administration of
3531 this paragraph.

3532 SECTION 120A. Section 1A of chapter 69 of the General Laws, as so appearing, is
3533 hereby amended by adding the following paragraph:-

3534 The commissioner shall require each district to: (i) notify students, prior to graduating
3535 from high school, of the availability of the free application for federal student aid, known as the
3536 FAFSA; (ii) provide students with information on financial aid options for post-secondary
3537 education; and (iii) provide students with instructions for completing the FAFSA. The
3538 commissioner shall provide guidance to districts related to the implementation of this paragraph
3539 regarding the distribution of information concerning the FAFSA and information to parents and

3540 guardians related to all options for financial assistance for high school students contemplating a
3541 post-secondary education.

3542 SECTION 121. Chapter 98 of the General Laws is hereby amended by adding the
3543 following section:-

3544 Section 59. (a) For the purposes of this section, the following words shall, unless the
3545 context clearly requires otherwise, have the following meanings:

3546 “Charging session”, an event starting when a customer of an EVSE initiates a purchase of
3547 electric vehicle charging services from an EVSE and ends when either the EVSE or the customer
3548 ends the continuous transfer of electric vehicle charging services to that customer’s electric
3549 vehicle.

3550 “Commercial electric vehicle charging station”, an EVSE, or a group of EVSEs, at a
3551 certain location where every EVSE within that group is owned and operated by the same person
3552 or entity and which requires users to pay the EVSE owner a fee for electric vehicle charging
3553 services.

3554 “Director”, the director of standards in the office of consumer affairs and business
3555 regulation.

3556 “Division”, the division of standards in the office of consumer affairs and business
3557 regulation.

3558 “Electric vehicle”, a battery electric vehicle that draws propulsion energy solely from an
3559 on-board electrical energy storage device during operation that is charged from an external
3560 source of electricity or a plug-in hybrid electric vehicle with an on-board electrical energy

3561 storage device that can be recharged from an external source of electricity which also has the
3562 capability to run on another fuel.

3563 “Electric vehicle charging services”, the transfer of electric energy from an electric
3564 vehicle charging station to a battery or other storage device in an electric vehicle and billing
3565 services, networking and operation and maintenance.

3566 “Electric vehicle supply equipment” or “EVSE”, a device or system designed and used
3567 specifically to transfer electrical energy to an electric vehicle, either as charge transferred
3568 through physical or wireless connection, by loading a fully charged battery, or by other means.

3569 “EVSE connector”, a cable and connector combination that carries electrical current from
3570 a commercial electric vehicle charging station’s enclosure to the port of an electric vehicle.

3571 “EVSE owner”, any person owning, in whole or in part, a commercial electric vehicle
3572 charging station in the commonwealth.

3573 “Network roaming”, the act of a member of 1 electric vehicle charging station billing
3574 network using a charging station that is outside of the member’s billing network with the
3575 member’s billing network account information.

3576 (b)(1) An EVSE owner shall register, on a form created by the division, a commercial
3577 electric vehicle charging station with the division prior to offering electric vehicle charging
3578 services to the public. The division shall set the length of the term of the registration by
3579 regulation. An applicant for registration shall submit such registration in the manner determined
3580 by the division along with the appropriate registration fee established pursuant to subsection (d).

3581 (2) No person shall operate a commercial electric vehicle charging station without first
3582 registering the device with the division. An EVSE owner who owns more than 1 commercial
3583 electric vehicle charging station in the commonwealth shall separately register each commercial
3584 electric vehicle charging station. The registrant shall notify the division within 30 days if the
3585 station is sold or ownership is otherwise transferred, if the operator changes or if the station
3586 ceases operation.

3587 (c) The registration form may include the commercial electric vehicle charging station's
3588 street address, geographic location, hours of operation, charging level, the number, make and
3589 model for each EVSE, the number and type of connectors for each EVSE, hardware
3590 compatibility for each EVSE, accepted methods of payment and any other information the
3591 division finds necessary.

3592 (d) The division shall establish a fee schedule for registrations, renewals and inspections,
3593 including the imposition of late charges when appropriate, by regulation. The division may retain
3594 such registration fees and fines it collects to support its operations.

3595 (e) An EVSE owner shall display, on each EVSE clearly visible to a user of that EVSE,
3596 the price per kilowatt-hours of the electric vehicle charging services and any other costs a user
3597 might encounter when purchasing electric vehicle charging services from the EVSE. The price
3598 shown on such display shall display any taxes imposed on the sale of the charging services. No
3599 sign, advertising material or other display or product that is placed upon, above or around an
3600 EVSE shall directly or indirectly obscure the posted price.

3601 (f) No EVSE owner shall sell electric vehicle charging services at any price other than the
3602 price so posted at the time of the sale. Any EVSE owner who sells electric vehicle charging

3603 services to a customer from an EVSE shall display on each EVSE, at a location and in a manner
3604 clearly visible to a user of that EVSE, the total volume of electricity transferred during each
3605 charging session. Any advertisement, statement or display of electric vehicle charging services
3606 prices shall display the total price, including any taxes, usage fees and any membership fees
3607 required to obtain the price displayed.

3608 (g)(1) The director and the division's inspectors shall have the power to test, inspect and
3609 seal all EVSEs in accordance with standards set forth in the most recent publication of the
3610 National Institute of Standards and Technology Handbook 44 as adopted by the National
3611 Conference on Weights and Measures. Notwithstanding any other general law or special law to
3612 the contrary, said testing, inspection and sealing shall be the sole responsibility of the division.
3613 All EVSE connectors and related equipment and systems shall meet all the applicable
3614 requirements contained in the most recent publication of the National Institute of Standards and
3615 Technology Handbook 44.

3616 (2) All EVSE connectors and related equipment and systems, which the division
3617 determines have met the standard contained herein shall be marked in a manner visible to
3618 consumers, as determined by the division. The division shall also affix a security seal to said
3619 EVSE pursuant to the standards contained in the most recent publication of National Institute of
3620 Standards and Technology Handbook 44.

3621 (h) The division may adopt, amend, alter or repeal and shall enforce all such reasonable
3622 orders, rules and regulations as may be necessary or suitable for the administration and
3623 enforcement of this section and the division may, in such administration and enforcement, at any
3624 time cause to be made by its agents or representatives an audit, examination or investigation of

3625 the books, records, papers, vouchers, accounts and documents of any EVSE owner, who shall
3626 make them available, upon oral or written demand, to the division or any of its duly authorized
3627 agents or representatives. Every EVSE owner shall keep such records as may be prescribed by
3628 the orders, rules or regulations adopted by the division.

3629 (i) A violation of any provision of this section shall be subject to a penalty of a civil
3630 citation of not more than \$5,000 pursuant to section 29A. Upon the second violation of this
3631 section, the division may, in addition to assessing a civil citation, suspend the right of such
3632 registrant to engage in the business of selling electric vehicle charging services for a period not
3633 exceeding 3 months and upon the third or subsequent violation, in addition to assessing a civil
3634 citation, suspend such right for a period not exceeding 1 year. Any party aggrieved by any action
3635 of the division pursuant to this subsection may appeal in accordance with section 29A.

3636 (j) All EVSE connectors and related equipment and systems which cannot be made to
3637 conform to the standard described in subsection (g) shall be taken out of service and marked or
3638 labelled in a manner by the division until it meets such standard. Whoever removes said mark or
3639 label without the consent of the person affixing the same shall be punished by a fine of not more
3640 than \$5,000 or shall be subject to a civil citation as provided in section 29A.

3641 (k) The owner or operator of a commercial electric vehicle charging station shall provide
3642 payment options that allow access to the charging station by the general public. A person shall
3643 not be required to pay a subscription fee to use a commercial electrical vehicle charging station
3644 or be required to obtain a membership in a club, association or organization as a condition of
3645 using the station; provided, however, that owners and operators of a commercial electrical

3646 vehicle charging station may have separate price schedules conditioned on a subscription or
3647 membership.

3648 (l) The owner or operator of a public electric vehicle charging station or a designee shall
3649 disclose on an ongoing basis to the United States Department of Energy National Renewable
3650 Energy Laboratory or other publicly available database designated by the division in consultation
3651 with the department of energy resources, the station’s geographic location, hours of operation,
3652 charging level, hardware compatibility, schedule of fees, accepted methods of payment and the
3653 amount of network roaming charges for nonmembers, if any.

3654 SECTION 121A. Chapter 112 of the General Laws is hereby amended by inserting after
3655 section 91 the following section:-

3656 Section 91A. (a) For the purposes of this section, “preceptor chiropractor” shall mean a
3657 registered chiropractor authorized to practice chiropractic in the commonwealth who is: (i)
3658 designated by an approved chiropractic school or college as an instructor; and (ii) the
3659 chiropractor of record at the chiropractic facility to which a student extern is assigned.

3660 (b) An individual that is a current student enrolled in the final academic year at a
3661 chiropractic school or college approved by the board may practice the full scope of chiropractic
3662 under the direct supervision of a preceptor chiropractor; provided, that the student extern shall
3663 have: (i) completed all academic and clinical class requirements for the degree of doctor of
3664 chiropractic from a chiropractic school or college approved by the board; and (ii) passed at least
3665 3 of the 4 levels of the examinations administered by the National Board of Chiropractic
3666 Examiners.

3667 (c) The student extern shall practice under the direct supervision and license of the
3668 preceptor chiropractor and shall not be authorized to sign legal documents generally signed by
3669 the preceptor chiropractor; provided, however, that the board, in its discretion, may authorize a
3670 student extern to practice chiropractic pursuant to this section at more than 1 chiropractic facility.
3671 An individual may be authorized by the board to practice chiropractic as a student extern for not
3672 less than 4 weeks and not more than 16 weeks during the student’s final academic year.

3673 SECTION 121B. Section 131 of said chapter 112, as appearing in the 2022 Official
3674 Edition, is hereby amended by striking out, in lines 6 and 7, the words “has passed an
3675 examination prepared by the board for this purpose;”.

3676 SECTION 121C. Said section 131 of said chapter 112, as amended by section 121A, is
3677 hereby further amended by inserting after the words “educational institution” the following
3678 words:- has passed an examination prepared by the board for this purpose.

3679 SECTION 121D. Section 132 of said chapter 112, as appearing in the 2022 Official
3680 Edition, is hereby amended by striking out, in lines 1 and 2, the words “Examinations for
3681 licensed certified social workers, including those in independent clinical practice” and inserting
3682 in place thereof the following words:- Examinations for licensed independent clinical social
3683 workers.

3684 SECTION 121E. Said section 132 of said chapter 112, as amended by section 121C, is
3685 hereby further amended by striking out the words “Examinations for licensed independent
3686 clinical social workers” and inserting in place thereof the following words:- Examinations for
3687 licensed certified social workers, including those in independent clinical practice.

3688 SECTION 121F. Said chapter 112 is hereby further amended by inserting after section
3689 135C the following section:-

3690 Section 135D. (a) To ensure a stable, diverse workforce of licensed social workers in the
3691 commonwealth and to provide for increased support and retention of practicing licensed social
3692 workers, the executive office of health and human services shall establish and administer a field
3693 placement grant program. The program shall, subject to appropriation, provide grant funding to
3694 designated recipients with a specific focus on recruiting and retaining students obtaining a
3695 master's of social work from historically marginalized and low-income communities. Funds to
3696 establish this program shall be allocated from state, federal or other dedicated resources,
3697 including, but not limited to, existing trust funds.

3698 (b)(1) Eligible applicants shall attend a school of social work master's program located in
3699 the commonwealth and accredited by the Council on Social Work Education.

3700 (2) Applicants shall submit:

3701 (i) applicant demographic background information, including, but not limited to, race,
3702 ethnicity, geographic location in the commonwealth and date of birth for purposes of data
3703 collection;

3704 (ii) applicant's school of social work, type of master's program and grade point average;

3705 (iii) a stated and signed commitment to working in commonwealth post-graduation for at
3706 least 2 years; and

3707 (iv) a 1-page statement on the importance of this stipend to the applicant and how the
3708 grant will support their educational goals and the workforce needs of the commonwealth.

3709 (3) Applicant data, including application details submitted, shall be tracked by the
3710 executive office to evaluate program efficacy.

3711 (c) The field placement grant program shall prioritize first-generation college students
3712 and students from underrepresented communities in the social worker profession. Applications
3713 shall be submitted and considered on a rolling basis beginning January 1 and ending March 1 of
3714 each year. Recipients of stipends shall be notified not later than April 15.

3715 (d) Stipends shall be allocated as follows:

3716 (i) a current master's of social work student in good standing completing their first-year
3717 field placement of 16 hours per week shall be eligible for a monthly stipend of \$1,000, not to
3718 exceed \$8,000 annually;

3719 (ii) a current master's of social work student in good standing completing their second-
3720 year field placement of 24 hours per week shall be eligible for a monthly stipend of \$2,000, not
3721 to exceed a total of \$16,000 annually; and

3722 (iii) advanced standing students who are only required to conduct 1 field placement shall
3723 be eligible for the second-year field placement stipend pursuant to clause (ii).

3724 SECTION 121G. Section 136 of said chapter 112, as appearing in the 2022 Official
3725 Edition, is hereby amended by inserting after the fourth paragraph the following paragraph:-

3726 Licensed independent clinical social workers engaged in independent clinical practice
3727 who provide 1-on-1 supervision to a licensed certified social worker, master's of social work
3728 intern or bachelors of social work intern, shall be eligible to receive up to 8 continuing education
3729 credits during a licensing period.

3730 SECTION 122. Section 2 of chapter 128 of the General Laws, as appearing in the 2022
3731 Official Edition, is hereby amended by striking out, in line 78, the word “October” and inserting
3732 in place thereof the following word:- December.

3733 SECTION 123. Section 5 of chapter 128A of the General Laws, as so appearing, is
3734 hereby amended by inserting after the word “racing”, in line 257, the following words:- or
3735 simulcasting under chapter 128C.

3736 SECTION 124. Subsection (5) of section 2 of chapter 128C of the General Laws, as most
3737 recently amended by section 6 of chapter 26 of the acts of 2023, is hereby further amended by
3738 striking out the first 2 sentences and inserting in place thereof the following 2 sentences:- The
3739 running horse racing meeting licensee located in Suffolk county and Worcester county may
3740 simulcast at any location in Suffolk county or Worcester county, respectively, approved by the
3741 commission: (a) unlimited running horse racing; and (b) on any day during the calendar year,
3742 unlimited harness horse racing, except during live racing performances of the harness horse
3743 racing licensee located in Norfolk county. The Suffolk county and Worcester county horse racing
3744 licensee shall simulcast the racing cards of the harness horse racing licensee located in Norfolk
3745 county and shall pay a fee of 11 per cent for the intrastate racing cards, and shall pay a 2 per cent
3746 premium with respect to any interstate harness horse simulcasts received, over and above the
3747 costs of obtaining such simulcasts, except during any 12 weeks per year chosen by the Suffolk
3748 county or Worcester county licensee and identified in its annual application for a racing meeting
3749 license, during which no premium need be paid.

3750 SECTION 124A. Said chapter 128C is hereby further amended by adding the following
3751 section:-

3752 Section 10. (a) Notwithstanding sections 1 to 8, inclusive, or any other general or special
3753 law to the contrary, no racing meeting licensee, including licensees holding racing meetings in
3754 connection with a state or county fair as defined in section 1 of chapter 128A, shall be required
3755 to pay any fees or other money into the greyhound capital improvements trust fund or the
3756 greyhound promotional trust fund.

3757 (b) All amounts in the greyhound capital improvements trust fund and the greyhound
3758 promotional trust fund attributable to any greyhound dog racing meeting licensees shall be
3759 returned by the Massachusetts Gaming Commission to the licensees without further condition.

3760 SECTION 125. Section 19A of chapter 138 of the General Laws, as appearing in the
3761 2022 Official Edition, is hereby amended by striking out, in line 3, the words "19C or 19D" and
3762 inserting in place thereof the following words:- 19C, 19D or 19E.

3763 SECTION 126. Chapter 140 of the General Laws is hereby amended by striking out
3764 section 182A and inserting in place thereof the following section:-

3765 Section 182A. (a) Every ticket of admission or other evidence of right of entry to any
3766 theatrical exhibition, public show or public amusement or exhibition required to be licensed by
3767 sections 181 and 182, for admission to which a price is charged, shall bear on its face the price
3768 charged for such ticket or other evidence of right of entry by the person issuing the same or
3769 causing the same to be issued. Whoever issues or causes to be issued such a ticket or other
3770 evidence of right of entry in violation of this section shall be punished by a fine of not more than
3771 \$500.

3772 (b)(1) No person, firm, corporation or other entity shall employ a paperless ticketing
3773 system unless the consumer is given an option at the time of initial sale to purchase the same

3774 paperless tickets in transferable form that the consumer can transfer at any price, and at any time,
3775 and without additional fees.

3776 (2) The established price for any given ticket shall be the same regardless of the form or
3777 transferability of such ticket.

3778 (3) The ability for a ticket to be transferred shall not constitute a special service for the
3779 purpose of imposing a service charge subject to section 185D. It shall be unlawful to penalize,
3780 discriminate against or deny access to a ticket buyer on the basis that the ticket was transferred or
3781 resold, including if the ticket was transferred or resold independent from the initial sale ticketing
3782 system.

3783 (4) Nothing in this subsection shall limit or restrict a venue operator or primary ticket
3784 issuer from imposing requirements on the ticketing platform and technology used by ticket
3785 holders for entry.

3786 (c) Notwithstanding subsection (b), an operator of any such theatrical exhibition, public
3787 show or public amusement or exhibition, or such operator's agent, may offer paperless tickets
3788 that do not allow for transferability; provided, that: (i) those tickets shall be sold or given to
3789 individuals or groups as part of a private event or a targeted promotion at a discounted price
3790 offered because of the individual's or group's status or affiliation with religious or charitable
3791 institutions, societies or organizations or civic leagues or organizations not organized for profit
3792 but operated exclusively for the promotion of social welfare, associations of veterans of any wars
3793 of the United States, students, or groups or individuals characterized by a disability or economic
3794 hardship and tickets issued through a non-transferable ticketing system pursuant to the
3795 exemption in this subsection shall not be offered promotionally to the general public and shall be

3796 clearly marked as a ticket restricted to the specified individual or group; or (ii) such tickets shall
3797 be included in a membership pass at a discounted price offered by a professional sports
3798 organization for seating in venues or stadiums with a fixed capacity of not less than 19,000 seats
3799 that guarantees entry to a specified number of events in a specified time period with seat
3800 assignments: (A) assigned not more than 4 hours prior to the commencement of the event; and
3801 (B) variable from game to game and not intended for season ticket holders. Tickets provided
3802 under a membership pass may be restricted from being transferred or resold, including through
3803 the operator or operator's agents, and shall be clearly marked as such prior to initial offering or
3804 sale. Such membership pass shall not mean a subscription or season ticket package offered for
3805 sale and shall not result in the sale of more than 5 per cent of the maximum amount of all seats
3806 that will be made available at a venue for a particular event to be sold under this subsection.

3807 (d) A ticket of admission to a theatrical exhibition, public show or public amusement or
3808 exhibition shall be considered a license. Venue operators, or operators' agents, may maintain and
3809 enforce policies and conditions or requirements for ticket purchase with respect to conduct,
3810 behavior, public health and safety or age at the venue or event and may establish limits on the
3811 quantity of tickets that may be purchased.

3812 (e) The commissioner of the division of occupational licensure may undertake
3813 functionality testing, audits and other measures to ensure that a paperless ticketing system used
3814 for entry access to theatrical exhibitions, public shows or public amusements or exhibitions
3815 meets reasonable standards of reliability for providing entry to persons with verified authentic
3816 paperless tickets.

3817 SECTION 127. Said chapter 140 is hereby further amended further by striking out
3818 sections 185A to 185D, inclusive, and inserting in place thereof the following 4 sections:-

3819 Section 185A. (a) No person shall engage in the business of reselling or facilitating a
3820 mechanism for 2 or more parties to participate in the resale of any ticket of admission to any
3821 theatrical exhibition, public show or public amusement or exhibition required to be licensed
3822 under sections 181 and 182 or under chapter 128A, whether such business is conducted on or off
3823 the premises on which such ticket or other evidence is to be used, without being licensed by the
3824 commissioner of occupational licensure; provided, however, that any primary ticket issuer and
3825 any operator or manager of a website or other platform to facilitate resale, or resale through a
3826 competitive bidding process, solely between third parties and that does not in any other manner
3827 engage in reselling of tickets shall be exempt from said licensing requirements.

3828 (b) A license shall be granted only upon a written application setting forth such
3829 information as the commissioner of occupational licensure may require. Each license issued
3830 under this section shall be in force until the first day of January next after its date, unless sooner
3831 revoked. No such license shall be transferred or assigned except upon written permission of the
3832 commissioner of occupational licensure. The sale of a ticket or pass, entitling the holder of said
3833 ticket or pass to admission to any such theatrical exhibition, public show or public amusement or
3834 exhibition upon payment either of nothing or a sum less than that demanded of the public
3835 generally, shall be deemed to be a resale pursuant to subsection (a).

3836 Section 185B. (a) The fee for each license granted under section 185A and for each
3837 annual renewal thereof shall be determined annually by the secretary of administration and
3838 finance under section 3B of chapter 7 for the filing thereof.

3839 (b) If any licensee demonstrates that their business provides a service to facilitate ticket
3840 transactions without charging any fees or surcharges above the established face value ticket
3841 price, on every transaction, except a reasonable and actual service charge for the delivery of
3842 tickets, then the fees for licensing shall be waived.

3843 (c)(1) The applicant for a license shall file with the application a bond in the penal sum of
3844 \$25,000, which bond shall be approved by the commissioner of occupational licensure. Each
3845 such bond shall be conditioned that the obligor: (i) shall not be guilty of any fraud or extortion;
3846 (ii) shall not violate directly or indirectly any of the provisions of sections 185A through 185F,
3847 inclusive, or any of the provisions of the license provided for in said sections; (iii) shall comply
3848 with the provisions of said sections 185A through 185F, inclusive; and (iv) shall pay all damages
3849 occasioned to any person by reason of any misstatement, misrepresentation, fraud or deceit or
3850 any unlawful act or omission that such obligor or their agents or employees, while acting within
3851 the scope of their employment, made, committed or omitted in connection with said sections in
3852 the business conducted under such license or caused by any other violation in carrying on the
3853 business for which such license is granted. One or more recoveries or payments upon such bond
3854 shall not vitiate the same but such bond shall remain in full force and effect; provided, however,
3855 that the aggregate amount of all such recoveries or payments shall not exceed the penal sum
3856 thereof.

3857 (2) Before the commissioner shall draw upon such bond, the commissioner of
3858 occupational licensure shall issue a determination in writing which shall include the basis of such
3859 action. The commissioner of occupational licensure shall notify in writing the licensee of any
3860 such determination and shall afford the licensee an opportunity to respond within 20 days of the
3861 receipt of such determination. In no event may the bond be drawn upon in less than 25 days after

3862 the service of a determination to the licensee. Such written notice may be served by delivery
3863 thereof personally to the licensee or by certified mail to the last known business address of such
3864 licensee. Only upon such determination of the commissioner shall money be withdrawn from the
3865 bond.

3866 (3) The commencement of any action against the surety upon any such bond for a sum or
3867 sums aggregating or exceeding the amount of such bond shall require a new and additional bond
3868 in like amount as the original bond, which shall be filed within 30 days after the demand
3869 therefor.

3870 (4) Failure to file such bond within such period shall constitute cause for the revocation
3871 of the license theretofore issued to the licensee upon whom such demand shall have been made.

3872 (5) Any suit or action against the surety on any bond required by this section shall be
3873 commenced within 1 year after the cause of action shall have accrued.

3874 Section 185C. (a) For the purpose of this section, "ticket purchasing software" shall mean
3875 any machine, device, computer program or computer software that, on its own or with human
3876 assistance, bypasses security measures or access control systems on a retail ticket purchasing
3877 platform, or other controls or measures on a retail ticket purchasing platform that assist in
3878 implementing a limit on the number of tickets that can be purchased, to purchase tickets.

3879 (b) The commissioner of occupational licensure, after notice to the licensee and
3880 reasonable opportunity to be heard, may revoke a license or may suspend the license for such
3881 period as the commissioner may deem proper, upon satisfactory proof that the licensee has
3882 violated or permitted a violation of any condition of the license or of any rule or regulation of the

3883 commissioner under section 185E. If the license is revoked, the licensee shall be disqualified to
3884 receive a license for 1 year after the expiration of the term of the license so revoke.

3885 (c) No person, firm, corporation or other entity shall utilize or sell ticket purchasing
3886 software to purchase tickets. Any person, firm, corporation or other entity who knowingly
3887 utilizes ticket purchasing software to purchase tickets shall be subject to a civil penalty in an
3888 amount not less than \$500 per violation and shall forfeit all profits made from the sale of any
3889 such unlawfully obtained tickets. Any person, firm, corporation or other entity who is a licensee
3890 who is adjudicated guilty of the following acts shall have their license revoked and may be
3891 barred from licensure for a period not to exceed 3 years if such licensee: (i) knowingly utilized
3892 ticket purchasing software in order to purchase tickets; (ii) knowingly resold or offered to resell a
3893 ticket that such licensee knew was obtained using ticket purchasing software; or (iii)
3894 intentionally maintained any interest in or maintained any control of the operation of ticket
3895 purchasing software to purchase tickets.

3896 (d) Any person, firm, corporation or other entity that has knowledge of the use of ticket
3897 purchasing software in violation of this chapter and fails to notify the office of the attorney
3898 general within 30 days shall be subject to a civil penalty in the amount of \$500 per violation.

3899 Section 185D. (a) For the purpose of this section, “service charges” shall mean costs
3900 incurred by a licensee related solely to the procuring and selling of such ticket and not related to
3901 the general business operation of the licensee. Service charges shall include, but shall not be
3902 limited to, charges for messengers, postage and long-distance telephone calls, extensions of
3903 credit and costs attributable thereto.

3904 (b) No licensee under section 185A shall sell tickets or facilitate the sale, resell or
3905 facilitate the resale of any ticket to any theatrical exhibition, public show or public amusement or
3906 exhibition of any description without a guarantee to each purchaser of such sold or resold tickets
3907 that they shall provide a full refund of the amount paid by the purchaser, including, but not
3908 limited to all service charges if any of the following occurs: (i) the event for which such ticket
3909 has been sold or resold is cancelled; (ii) the ticket received by the purchaser does not grant the
3910 purchaser admission to the event described on the ticket; (iii) the ticket was not delivered to the
3911 purchaser prior to the occurrence of the event, unless such failure of delivery was due to an act or
3912 omission of the purchaser; or (iv) the ticket fails to conform to its description as advertised
3913 unless the purchaser has pre-approved a substitution of tickets. Provision of a replacement ticket
3914 to the same event that is in a comparable location, where applicable, and at no additional cost to
3915 the consumer, shall be considered providing a full refund for the purposes of this section.

3916 (c) A licensee shall disclose in a clear and conspicuous manner the portion of the ticket
3917 price stated in dollars that represents a service charge or any other fee or surcharge to the
3918 purchaser. Such a disclosure of the total cost and fees shall be displayed in the ticket listing prior
3919 to the ticket being selected for purchase. Disclosures of subtotals, fees, charges and any other
3920 component of the total price shall not be false or misleading and may not be presented more
3921 prominently or in the same or larger size as the total price.

3922 (d) Any person, firm, corporation or other entity who violates this section may be barred
3923 from licensure for a period not to exceed 3 years and shall be subject to a civil penalty of not
3924 more than \$5,000 per violation.

3925 (e) The imposition of a fee, on an annual or per order basis, for customers purchasing
3926 tickets other than by immediate payment therefor in cash, which includes a membership fee,
3927 office expenses and the cost of processing credit card orders, shall not be deemed a violation of
3928 this section.

3929 SECTION 128. Section 185E of said chapter 140, as appearing in the 2022 Official
3930 Edition, is hereby amended by inserting after the second sentence, the following sentence:- A
3931 licensee shall keep full and accurate sets of records showing: (i) the prices at which all tickets
3932 have been bought and sold by such licensee; and (ii) the names and addresses of the person, firm
3933 or corporation from whom they were bought.

3934 SECTION 129. Section 4 of chapter 142A of the General Laws, as so appearing, is
3935 hereby amended by striking out, in line 5, the word “two” and inserting in place thereof the
3936 following figure:- 5.

3937 SECTION 130. Section 5 of said chapter 142A, as so appearing, is hereby amended by
3938 inserting after the word “jurisdiction”, in line 5, the following words:- or an arbitrator pursuant to
3939 section 4.

3940 SECTION 131. Said section 5 of said chapter 142A, as so appearing, is hereby further
3941 amended by striking out, in lines 9 to 13, inclusive, the words “owner has exhausted all
3942 customary and reasonable efforts to collect the judgment but the contractor has filed for
3943 bankruptcy, fled the jurisdiction or the owner is otherwise unable to collect such judgment after
3944 execution” and inserting in place thereof the following words:- contractor has failed to pay the
3945 judgment or award and the director has determined that reasonable efforts to collect have been
3946 made.

3947 SECTION 132. Section 7 of said chapter 142A, as so appearing, is hereby amended by
3948 striking out the first paragraph and inserting in place thereof the following paragraph:-

3949 An owner may make a claim to the fund only if the owner has complied with section 3,
3950 has obtained a judgment or arbitration award and has filed the claim to the fund not more than 7
3951 years from the date of the contract, the contractor has failed to pay the judgment or award and
3952 the director has determined that reasonable efforts to collect have been made.

3953 SECTION 133. Said section 7 of said chapter 142A, as so appearing, is hereby further
3954 amended by striking out, in lines 12 and 13, the words “ten thousand dollars” and inserting in
3955 place thereof the following figure:- \$25,000.

3956 SECTION 134. Said section 7 of said chapter 142A, as so appearing, is hereby further
3957 amended by striking out, in lines 15 and 18, the words “seventy-five thousand dollars”, each time
3958 they appear, and inserting in place thereof, in each instance, the following figure:- \$150,000.

3959 SECTION 135. Section 9 of said chapter 142A, as so appearing, is hereby amended by
3960 adding the following subsection:-

3961 (e) Prior to approving any application for registration or renewal conforming to the
3962 requirements of this chapter, the director shall refer identifying information regarding an
3963 applicant to the department of criminal justice information services, which shall obtain criminal
3964 offender record information but shall transmit to the director only information regarding any
3965 conviction of the applicant of gross fraud or cheat at common law, as defined in section 76 of
3966 chapter 266.

3967 SECTION 136. Section 15 of said chapter 142A is hereby repealed.

3968 SECTION 137. Section 17 of said chapter 142A, as appearing in the 2022 Official
3969 Edition, is hereby amended by striking out clause (17) and inserting in place thereof the
3970 following 4 clauses:-

3971 (17) engaging in gross fraud or cheat pursuant to section 76 of chapter 266;

3972 (18) having a license, certificate, registration or authority issued by another state or
3973 territory of the United States, the District of Columbia or a foreign state or nation with authority
3974 to issue such a license, certificate, registration or authority revoked, cancelled, suspended, not
3975 renewed or otherwise acted against, or if the holder has been disciplined, if the basis for the
3976 action would constitute a basis for disciplinary action in the commonwealth;

3977 (19) failing to repay the fund in full, including the appropriate amount of annual interest,
3978 for any amount paid from the fund because of the contractor's or subcontractor's conduct; or

3979 (20) violating any other provision of this chapter.

3980 SECTION 138. Said section 17 of said chapter 142A, as so appearing, is hereby further
3981 amended by adding the following paragraph:-

3982 For purposes of this section, the conduct of a contractor or subcontractor shall be deemed
3983 to include the conduct of their agents, employees, salespersons or subcontractors, whether or not
3984 an express relationship exists, if the work or activities is within the scope of the contract and not
3985 for additional work beyond the contract undertaken by separate agreement with the owner.

3986 SECTION 139. The first paragraph of section 18 of said chapter 142A, as so appearing, is
3987 hereby amended by adding the following sentence:- The director may also enter into a consent

3988 agreement with a registrant to impose 1 or more administrative penalties, including, but not
3989 limited to, voluntary revocation of the registration.

3990 SECTION 140. Chapter 147 of the General Laws is hereby amended by striking out
3991 section 36 and inserting in place thereof the following 3 sections:-

3992 Section 36. At every boxing, kickboxing, mixed martial arts or other unarmed combative
3993 sporting event, sparring match or exhibition, there shall be in attendance a referee, duly licensed
3994 under this section and sections 35 and 35A. There shall also be in attendance not less than 3
3995 duly-licensed judges, each of whom shall, at the termination of a match or exhibition, vote for
3996 the contestant in whose favor the decision should, in their opinion, be rendered or, for a draw if,
3997 in their opinion, neither contestant is entitled to a decision in their favor and the decision shall be
3998 rendered in favor of the contestant receiving a majority of the votes or, if neither receives a
3999 majority as aforesaid, a decision of a draw shall be rendered. Upon the rendering of a decision,
4000 the vote of each judge shall be announced from the ring. The referee shall have full power to stop
4001 the match or exhibition whenever they deem it advisable because of the physical condition of a
4002 contestant or when 1 contestant is clearly outclassed by their opponent or for other sufficient
4003 reason. The commission shall declare forfeited any prize, remuneration or purse or any part
4004 thereof belonging to a contestant if, in the judgment of a majority of the commissioners after
4005 consultation with the judges and the referee, the contestant was not competing in good faith. The
4006 fees of the referee and other licensed officials shall be fixed by the commission and shall be paid
4007 by the licensed organization prior to the match or exhibition.

4008 Section 36A. (a) The commission shall set forth rules and regulations for contracts
4009 between a manager and an unarmed combatant and contracts between a promoter and an

4010 unarmed combatant. An unarmed combatant shall not enter a contract with a manager or a
4011 promoter unless the contract is filed with the commission prior to a scheduled contest in an
4012 amount of time established by the commission. The commission shall only honor a contract that
4013 is executed and notarized on a form provided by the commission unless the contract terms
4014 comply with the requirements set forth by the commission.

4015 (b) The commission shall have the authority and discretion to invalidate, enforce, mediate
4016 or modify contracts pursuant to subsection (a). The commission may require that each contract
4017 include language authorizing the commission to withhold any portion of a promoter's or
4018 manager's share of a purse in the event of a contractual dispute with a contestant over their
4019 entitlement to any portion of a purse.

4020 (c) The commission shall be the sole arbiter of a breach of contract and shall establish
4021 rules governing the manner in which contract disputes shall be resolved.

4022 Section 36B. Whoever violates any provision of sections 32 to 51, inclusive, or who
4023 conducts himself at any time or place in a manner that is deemed by the commission to discredit
4024 any unarmed combative sports, may have their license revoked and be fined, suspended or
4025 otherwise disciplined in such manner as the commission may direct.

4026 SECTION 141. Said chapter 147 is hereby further amended by striking out section 39B
4027 and inserting in place thereof the following section:-

4028 Section 39B. A person licensed under section 33 to conduct boxing, kickboxing, mixed
4029 martial arts or other unarmed combative sports events, sparring matches or exhibitions, except
4030 those persons to whom a special license may be granted thereunder without the requirement of a
4031 bond or payment of the annual fee, shall take out a policy of accident insurance on each

4032 contestant participating in the match or exhibition in an amount determined by the commission,
4033 but not less than \$10,000, to compensate the contestant for medical and hospital expenses
4034 incurred as the result of injuries received in such match or exhibition and a policy in an amount
4035 determined by the commission, but not less than \$100,000, to be paid to the estate of a deceased
4036 contestant in the event of the death of the contestant resulting from participation in the match or
4037 exhibition. The premiums on the policies shall be paid by the licensee.

4038 SECTION 142. Subsection (4) of section 25Q of chapter 152 of the General Laws, as
4039 appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:-
4040 Subsection (1) shall not apply to groups that have been in existence for at least 5 years and have
4041 established a premium payment plan acceptable to the commissioner.

4042 SECTION 142A. Chapter 175 of the General Laws is hereby amended by striking out
4043 section 162Z and inserting in place thereof the following section:-

4044 Section 162Z. (a) As used in this section, the following words shall, unless the context
4045 clearly requires otherwise, have the following meanings:

4046 “Designated responsible producer” or “DRP”, a person responsible for a limited lines
4047 travel insurance producer’s compliance with travel insurance laws, rules and regulations.

4048 “Limited lines travel insurance producer”, a (i) licensed managing general agent or third-
4049 party administrator; (ii) licensed insurance producer, including a limited lines producer; or (iii)
4050 travel administrator.

4051 “Offer and disseminate”, to provide general information, including a description of the
4052 coverage and price, as well as processing an application for travel insurance and collecting
4053 premium payments.

4054 “Travel administrator”, a person who directly or indirectly underwrites, collects charges,
4055 collateral or premiums from or adjusts or settles claims on residents of the commonwealth in
4056 connection with travel insurance; provided, however, that a person shall not be considered a
4057 travel administrator if that person’s only characteristic or action that would otherwise cause them
4058 to be considered a travel administrator is 1 of the following:

4059 (i) a person working for a travel administrator to the extent that the person’s activities are
4060 subject to the supervision and control of the travel administrator;

4061 (ii) an insurance producer selling insurance or engaged in administrative and claims-
4062 related activities within the scope of the producer’s license;

4063 (iii) a travel retailer offering and disseminating travel insurance and registered under the
4064 license of a limited lines travel insurance producer in accordance with this section;

4065 (iv) an individual adjusting or settling claims in the normal course of that individual’s
4066 practice or employment as an attorney-at-law and who does not collect charges or premiums in
4067 connection with insurance coverage; or

4068 (v) a business entity that is affiliated with a licensed insurer while acting as a travel
4069 administrator for the direct and assumed insurance business of an affiliated insurer.

4070 “Travel insurance”, insurance coverage for personal risks incidental to planned travel
4071 including: (i) an interruption or cancellation of trip or event; (ii) loss of baggage or personal

4072 effects; (iii) damages to accommodations or rental vehicles; (iv) sickness, accident, disability or
4073 death occurring during travel; (v) emergency evacuation; (vi) repatriation of remains; or (vii) any
4074 other contractual obligations to indemnify or pay a specified amount to the traveler upon
4075 determinable contingencies related to travel as approved by the commissioner; provided,
4076 however, that “travel insurance” shall not include major medical plans which provide
4077 comprehensive medical protection for travelers with trips lasting longer than 6 months,
4078 including, but not limited to, people working or residing overseas as an expatriate or any other
4079 product that requires a specific insurance producer license.

4080 “Travel retailer”, a business entity that makes, arranges or offers planned travel and may
4081 offer and disseminate travel insurance as a service to its customers on behalf of and under the
4082 direction of a limited lines travel insurance producer.

4083 (b)(1) The commissioner may issue to an individual or business entity a limited lines
4084 travel insurance producer license if that individual or business entity has filed an application for
4085 a limited lines travel insurance producer license with the commissioner in a form and manner
4086 prescribed by the commissioner. A limited lines travel insurance producer license shall authorize
4087 a limited lines travel insurance producer to sell, solicit or negotiate travel insurance through a
4088 licensed insurer. No person may act as a limited lines travel insurance producer or travel retailer
4089 unless properly licensed or registered, respectively.

4090 (2) A travel retailer may offer and disseminate travel insurance under a limited lines
4091 travel insurance producer license if the following conditions are met:

4092 (i) the limited lines travel insurance producer or travel retailer provides to purchasers of
4093 travel insurance: (A) a description of the material terms or the actual material terms of the

4094 insurance coverage; (B) a description of the process for filing a claim; (C) a description of the
4095 review or cancellation process for the travel insurance policy; and (D) the identity and contact
4096 information of the insurer and limited lines travel insurance producer;

4097 (ii) at the time of licensure, the limited lines travel insurance producer shall establish and
4098 maintain a register, on a form prescribed by the commissioner, of each travel retailer that offers
4099 travel insurance on the limited lines travel insurance producer's behalf; provided, however, that
4100 the register shall be maintained and updated annually by the limited lines travel insurance
4101 producer and shall include the name, address and contact information of the travel retailer, an
4102 officer or person who directs or controls the travel retailer's operations and the travel retailer's
4103 federal tax identification number; provided further, that the limited lines travel insurance
4104 producer shall submit the register to the division of insurance upon reasonable request and shall
4105 certify that the travel retailer register complies with 18 U.S.C. section 1033; and provided
4106 further, that the grounds for the suspension, revocation and the penalties applicable to resident
4107 insurance producers under this chapter and chapter 176D shall be applicable to the limited lines
4108 travel insurance producers and travel retailers;

4109 (iii) the limited lines travel insurance producer has designated 1 of its employees, who is
4110 a licensed individual producer, as the DRP;

4111 (iv) the DRP, president, secretary, treasurer and any other officer or person who directs or
4112 controls the limited lines travel insurance producer's insurance operations shall comply with the
4113 fingerprinting requirements applicable to insurance producers in the resident state of the limited
4114 lines travel insurance producer;

4115 (v) the limited lines travel insurance producer has paid all applicable insurance producer
4116 licensing fees;

4117 (vi) the limited lines travel insurance producer requires each employee and authorized
4118 representative of the travel retailer, whose duties include offering and disseminating travel
4119 insurance, to receive a program of instruction or training, which may be subject, at the discretion
4120 of the commissioner, to review and approval by the commissioner; provided, however, that the
4121 training material shall, at a minimum, contain instructions on the types of insurance offered,
4122 ethical sales practices and required disclosures to prospective customers.

4123 (c) Any travel retailer offering or disseminating travel insurance shall make available to
4124 prospective purchasers, brochures or other written materials that have been approved by the
4125 travel insurer. Such materials shall include information which, at a minimum: (i) provides the
4126 identity and contact information of the insurer and the limited lines travel insurance producer; (ii)
4127 explains that the purchase of travel insurance is not required in order to purchase any other
4128 product or service from the travel retailer; and (iii) explains that an unlicensed travel retailer is
4129 permitted to provide general information about the insurance offered by the travel retailer,
4130 including a description of the coverage and price, but is not qualified or authorized to answer
4131 technical questions about the terms and conditions of the insurance offered by the travel retailer
4132 or to evaluate the adequacy of the customer's existing insurance coverage.

4133 (d) A travel retailer's employee or authorized representative who is not licensed as a
4134 limited lines travel insurance producer shall not: (i) evaluate or interpret the technical terms,
4135 benefits and conditions of the offered travel insurance coverage; (ii) evaluate or provide advice

4136 concerning a prospective purchaser's existing insurance coverage; or (iii) hold oneself out as a
4137 licensed insurer, licensed producer or insurance expert.

4138 (e) Notwithstanding any general or special law to the contrary, a travel retailer, whose
4139 insurance-related activities, and those of its employees and authorized representatives, are
4140 limited to offering and disseminating travel insurance on behalf of and under the direction of a
4141 limited lines travel insurance producer who meets the conditions set forth in this section may
4142 receive related compensation, not in the form of commissions, upon registration by the limited
4143 lines travel insurance producer as described in subsection (b).

4144 (f) Travel insurance may be provided under an individual policy or under a group or
4145 blanket policy.

4146 (g) As the insurer designee, the limited lines travel insurance producer shall be
4147 responsible for the acts of the travel retailer and shall use reasonable means to ensure compliance
4148 by the travel retailer with this section.

4149 (h) Any person licensed in a major line of authority as an insurance producer may sell,
4150 solicit and negotiate travel insurance. A property and casualty insurance producer shall not be
4151 required to become appointed by an insurer in order to sell, solicit or negotiate travel insurance.

4152 SECTION 142B. The General Laws are hereby further amended by inserting after
4153 chapter 175M the following chapter:-

4154 Chapter 175N.

4155 TRAVEL INSURANCE.

4156 Section 1. (a) This chapter shall apply to travel insurance that covers any resident of the
4157 commonwealth and is sold, solicited, negotiated or offered in the commonwealth and policies
4158 and certificates that are delivered or issued for delivery in the commonwealth; provided, that this
4159 chapter shall not apply to cancellation fee waivers or travel assistance services, except as
4160 expressly provided herein.

4161 (b) All other applicable provisions of the commonwealth’s insurance laws shall apply to
4162 travel insurance; provided, that the specific provisions of this chapter shall supersede any general
4163 provisions of law that would otherwise be applicable to travel insurance.

4164 Section 2. As used in this chapter, the following words shall, unless the context clearly
4165 requires otherwise, have the following meanings:

4166 “Aggregator site”, a website that provides access to information regarding insurance
4167 products from more than 1 insurer, including product and insurer information, for use in
4168 comparison shopping.

4169 “Blanket travel insurance”, a policy of travel insurance issued to any eligible group
4170 providing coverage for specific classes of persons defined in the policy with coverage provided
4171 to all members of the eligible group without a separate charge to individual members of the
4172 eligible group.

4173 “Cancellation fee waiver”, a contractual agreement between a supplier of travel services
4174 and its customer to waive some or all of the non-refundable cancellation fee provisions of the
4175 supplier’s underlying travel contract with or without regard to the reason for the cancellation or
4176 form of reimbursement; provided, however, that a cancellation fee waiver shall not be considered
4177 insurance.

4178 “Commissioner”, the commissioner of insurance.

4179 “Eligible group”, solely for the purposes of travel insurance, 2 or more persons who are
4180 engaged in a common enterprise or have an economic, educational or social affinity or
4181 relationship, including, but not limited to, any of the following:

4182 (i) any entity engaged in the business of providing travel or travel services including, but
4183 not limited to: tour operators, lodging providers, vacation property owners, hotels and resorts,
4184 travel clubs, travel agencies, property managers, cultural exchange programs and common
4185 carriers or the operator, owner or lessor of a means of transportation of passengers including, but
4186 not limited to, airlines, cruise lines, railroads, steamship companies and public bus carriers,
4187 wherein with regard to any particular travel or type of travel or travelers, all members or
4188 customers of the group shall have a common exposure to risk attendant to such travel;

4189 (ii) any college, school or other institution of learning covering students, teachers,
4190 employees or volunteers;

4191 (iii) any employer covering any group of employees, volunteers, contractors, board of
4192 directors, dependents or guests;

4193 (iv) any sports team or camp or sponsor thereof, covering participants, members,
4194 campers, employees, officials, supervisors or volunteers;

4195 (v) any religious, charitable, recreational, educational or civic organization or branch
4196 thereof, covering any group of members, participants or volunteers;

4197 (vi) any financial institution or financial institution vendor, or parent holding company,
4198 trustee, or agent of or designated by 1 or more financial institutions or financial institution
4199 vendors, including accountholders, credit card holders, debtors, guarantors or purchasers;

4200 (vii) any incorporated or unincorporated association including, labor unions, having a
4201 common interest, constitution and bylaws and organized and maintained in good faith for
4202 purposes other than obtaining insurance for members or participants of such association covering
4203 its members;

4204 (viii) any trust or the trustees of a fund established, created or maintained for the benefit
4205 of and covering members, employees or customers, subject to the commissioner's permitting the
4206 use of a trust and the commonwealth's premium tax provisions in section 3 of 1 or more
4207 associations meeting the requirements of clause (vii);

4208 (ix) any entertainment production company covering any group of participants,
4209 volunteers, audience members, contestants or workers;

4210 (x) any volunteer fire department, ambulance, rescue, police, court or any first aid, civil
4211 defense or other such volunteer group;

4212 (xi) any preschool, daycare institution for children or adults or senior citizen club;

4213 (xii) any automobile or truck rental or leasing company covering a group of individuals
4214 who may become renters, lessees or passengers defined by their travel status on the rented or
4215 leased vehicles; provided, that the common carrier, the operator, owner or lessor of a means of
4216 transportation or the automobile or truck rental or leasing company is the policyholder under a
4217 policy to which this chapter applies; or

4218 (xiii) any other group where the commissioner has determined that the members are
4219 engaged in a common enterprise, or have an economic, educational or social affinity or
4220 relationship and that issuance of the policy would not be contrary to the public interest.

4221 “Fulfillment materials”, documentation sent to the purchaser of a travel protection plan
4222 confirming the purchase and providing the travel protection plan’s coverage and assistance
4223 details.

4224 “Group travel insurance”, travel insurance issued to any eligible group.

4225 “Limited lines travel insurance producer”, a (i) licensed managing general agent or third-
4226 party administrator; (ii) licensed insurance producer including, a limited lines producer,
4227 designated by an insurer as the travel insurance supervising entity under subsection (g) of section
4228 162Z of chapter 175; or (iii) travel administrator.

4229 “Offer and disseminate”, to provide general information including, a description of the
4230 coverage and price, as well as processing the application, collecting premiums and performing
4231 other permitted non-licensable activities.

4232 “Primary certificate holder”, specific to section 3, an individual person who elects and
4233 purchases travel insurance under a group policy.

4234 “Primary policyholder”, specific to section 3, an individual person who elects and
4235 purchases individual travel insurance.

4236 “Travel administrator”, a person who directly or indirectly underwrites, collects charges,
4237 collateral or premiums from or adjusts or settles claims on residents of the commonwealth, in
4238 connection with travel insurance; provided, that a person shall not be considered a travel

4239 administrator if that person's only characteristics or actions that would otherwise cause them to
4240 be considered a travel administrator are 1 of the following:

4241 (i) a person working for a travel administrator to the extent that the person's activities are
4242 subject to the supervision and control of the travel administrator;

4243 (ii) an insurance producer selling insurance or engaged in administrative and claims-
4244 related activities within the scope of the producer's license;

4245 (iii) a travel retailer offering and disseminating travel insurance and registered under the
4246 license of a limited lines travel insurance producer in accordance with said section 162Z of said
4247 chapter 175;

4248 (iv) an individual adjusting or settling claims in the normal course of that individual's
4249 practice or employment as an attorney-at-law and who does not collect charges or premiums in
4250 connection with insurance coverage; or

4251 (v) a business entity that is affiliated with a licensed insurer while acting as a travel
4252 administrator for the direct and assumed insurance business of an affiliated insurer.

4253 "Travel assistance services", non-insurance services for which the consumer is not
4254 indemnified based on a fortuitous event, and where providing the service does not result in
4255 transfer or shifting of risk that would constitute the business of insurance. Travel assistance
4256 services shall include, but shall not be limited to: (i) security advisories; (ii) destination
4257 information; (iii) vaccination and immunization information services; (iv) travel reservation
4258 services; (v) entertainment; (vi) activity and event planning; (vii) translation assistance; (viii)
4259 emergency messaging; (ix) international legal and medical referrals; (x) medical case

4260 monitoring; (xi) coordination of transportation arrangements; (xii) emergency cash transfer
4261 assistance; (xiii) medical prescription replacement assistance; (xiv) passport and travel document
4262 replacement assistance; (xv) lost luggage assistance; (xvi) concierge services; and (xvii) any
4263 other service that is furnished in connection with planned travel. Travel assistance services shall
4264 not be considered insurance or related to insurance.

4265 “Travel insurance”, insurance coverage for personal risks incidental to planned travel
4266 including, but not limited to: (i) an interruption or cancellation of trip or event; (ii) loss of
4267 baggage or personal effects; (iii) damages to accommodations or rental vehicles; (iv) sickness,
4268 accident, disability or death occurring during travel; (v) emergency evacuation; (vi) repatriation
4269 of remains; or (vii) any other contractual obligations to indemnify or pay a specified amount to
4270 the traveler upon determinable contingencies related to travel as approved by the commissioner;
4271 provided, however, that “travel insurance” shall not include major medical plans, which provide
4272 comprehensive medical protection for travelers with trips lasting longer than 6 months,
4273 including, for example, people working or residing overseas as an expatriate, or any other
4274 product that requires a specific insurance producer license.

4275 “Travel protection plans”, plans that provide 1 or more of the following: travel insurance,
4276 travel assistance services and cancellation fee waivers.

4277 “Travel retailer”, a business entity that makes, arranges or offers travel services and may
4278 offer and disseminate travel insurance as a service to its customers on behalf of and under the
4279 direction of a limited lines travel insurance producer.

4280 Section 3. (a) A travel insurer shall pay a premium tax, as provided in section 22 of
4281 chapter 63, on travel insurance premiums paid by any of the following:

4282 (i) an individual primary policyholder who is a resident of the commonwealth;
4283 (ii) a primary certificate holder who is a resident of the commonwealth who elects
4284 coverage under a group travel insurance policy; or

4285 (iii) a blanket travel insurance policyholder who is a resident, or has its principal place of
4286 business or the principal place of business of an affiliate or subsidiary that has purchased blanket
4287 travel insurance, in the commonwealth for eligible blanket group members, subject to any
4288 apportionment rules which apply to the insurer across multiple taxing jurisdictions or that permit
4289 the insurer to allocate premium on an apportioned basis in a reasonable and equitable manner in
4290 those jurisdictions.

4291 (b) A travel insurer shall: (i) document the state of residence or principal place of
4292 business of the policyholder or certificate holder, as required pursuant to subsection (a); and (ii)
4293 report as premium only the amount allocable to travel insurance and not any amounts received
4294 for travel assistance services or cancellation fee waivers

4295 Section 4. Travel protection plans may be offered for 1 price for the combined features
4296 that the travel protection plan offers in the commonwealth if:

4297 (i) the travel protection plan clearly discloses to the consumer, at or prior to the time of
4298 purchase, that it includes travel insurance, travel assistance services and cancellation fee waivers,
4299 as applicable, and provides information and an opportunity, at or prior to the time of purchase,
4300 for the consumer to obtain additional information regarding the features and pricing of each; and

4301 (ii) the fulfillment materials: (A) describe and delineate the travel insurance, travel
4302 assistance services and cancellation fee waivers in the travel protection plan; and (B) include the

4303 travel insurance disclosures and the contact information for persons providing travel assistance
4304 services and cancellation fee waivers, as applicable.

4305 Section 5. (a) All persons offering travel insurance to residents of the commonwealth
4306 shall be subject to chapter 176D, except as otherwise provided in this section. In the event of a
4307 conflict between this chapter and other provisions of this chapter regarding the sale and
4308 marketing of travel insurance and travel protection plans, this chapter shall control.

4309 (b) Offering or selling a travel insurance policy that could never result in payment of any
4310 claims for any insured under the policy shall be an unfair trade practice under said chapter 176D.

4311 (c)(1) All documents provided to consumers prior to the purchase of travel insurance
4312 including, but not limited to, sales materials, advertising materials and marketing materials, shall
4313 be consistent with the travel insurance policy itself including, but not limited to, forms,
4314 endorsements, policies, rate filings and certificates of insurance.

4315 (2) For travel insurance policies or certificates that contain pre-existing condition
4316 exclusions, information and an opportunity to learn more about the pre-existing condition
4317 exclusions shall be provided any time prior to the time of purchase, and in the coverage's
4318 fulfillment materials.

4319 (3) The fulfillment materials and the information described in clause (i) of paragraph (2)
4320 of subsection (b) of said section 162Z of chapter 175 shall be provided to a policyholder or
4321 certificate holder as soon as practicable, following the purchase of a travel protection plan.
4322 Unless the insured has either started a covered trip or filed a claim under the travel insurance
4323 coverage, a policyholder or certificate holder may cancel a policy or certificate for a full refund
4324 of the travel protection plan price from the date of purchase of a travel protection plan until at

4325 least: (i) 15 days following the date of delivery of the travel protection plan's fulfillment
4326 materials by postal mail; or (ii) 10 days following the date of delivery of the travel protection
4327 plan's fulfillment materials by means other than postal mail. For the purposes of this section,
4328 delivery shall mean handing fulfillment materials to the policyholder or certificate holder or
4329 sending fulfillment materials by postal mail or electronic means to the policyholder or certificate
4330 holder.

4331 (4) The company shall disclose in the policy documentation and fulfillment materials
4332 whether the travel insurance is primary or secondary to other applicable coverage.

4333 (5) Where travel insurance is marketed directly to a consumer through an insurer's
4334 website or by others through an aggregator site, it shall not be an unfair trade practice or other
4335 violation of law if an accurate summary or short description of coverage is provided on the web
4336 page; provided, that the consumer has access to the full provisions of the policy through
4337 electronic means.

4338 (d) No person offering, soliciting or negotiating travel insurance or travel protection plans
4339 on an individual or group basis may do so by using negative option or opt out, which would
4340 require a consumer to take an affirmative action to deselect coverage, such as unchecking a box
4341 on an electronic form when the consumer purchases a trip.

4342 (e) It shall be an unfair trade practice pursuant to said chapter 176D to market blanket
4343 travel insurance coverage as free.

4344 (f) Where a consumer's destination jurisdiction requires insurance coverage, it shall not
4345 be an unfair trade practice pursuant to said chapter 176D to require that a consumer choose
4346 between the following options as a condition of purchasing a trip or travel package: (i)

4347 purchasing the coverage required by the destination jurisdiction through the travel retailer or
4348 limited lines travel insurance producer supplying the trip or travel package; or (ii) agreeing to
4349 obtain and provide proof of coverage that meets the destination jurisdiction's requirements prior
4350 to departure.

4351 Section 6. (a) Notwithstanding any other provision of this chapter, no person shall act or
4352 represent itself as a travel administrator for travel insurance in the commonwealth unless that
4353 person:

4354 (i) is a licensed property and casualty insurance producer in the commonwealth for
4355 activities permitted under that producer license;

4356 (ii) holds a valid managing general agent license in the commonwealth; or

4357 (3) holds a valid third-party administrator license in the commonwealth.

4358 (b) An insurer shall be responsible for the acts of a travel administrator administering
4359 travel insurance underwritten by the insurer and shall be responsible for ensuring that the travel
4360 administrator maintains all books and records relevant to the insurer to be made available by the
4361 travel administrator to the commissioner upon request.

4362 Section 7. (a) Notwithstanding any other provision of this chapter, travel insurance shall
4363 be classified and filed for purposes of rates and forms under an inland marine line of insurance;
4364 provided, however, that travel insurance that provides coverage for sickness, accident, disability
4365 or death occurring during travel, either exclusively, or in conjunction with related coverages of
4366 emergency evacuation, repatriation of remains or incidental limited property and casualty

4367 benefits such as baggage or trip cancellation, may be filed under either an accident and health
4368 line of insurance or an inland marine line of insurance.

4369 (b) Eligibility and underwriting standards for travel insurance may be developed and
4370 provided based on travel protection plans designed for individual or identified marketing or
4371 distribution channels; provided, that those standards shall meet the commonwealth's
4372 underwriting standards for inland marine.

4373 Section 8. The commissioner may promulgate regulations to implement this chapter.

4374 SECTION 142C. Section 1 of chapter 176J of the General Laws, as appearing in the 2022
4375 Official Edition, is hereby amended by striking out, in line 204, the words "travel insurance;"

4376 SECTION 142D. Said section 1 of said chapter 176J, as so appearing, is hereby further
4377 amended by striking out, in lines 211 through 218, inclusive, the words "Travel insurance for the
4378 purpose of this chapter is insurance coverage for personal risks incident to planned travel,
4379 including but not limited to: (i) interruption or cancellation of trip or event; (ii) loss of baggage
4380 or personal effects; (iii) damages to accommodations or rental vehicles; or (iv) sickness,
4381 accident, disability or death occurring during travel, provided that the health benefits are not
4382 offered on a stand-alone basis and are incidental to other coverages. The term "travel insurance"
4383 shall not include major medical plans, which provide comprehensive medical protection for
4384 travelers with trips lasting 6 months or longer, including for example, those working overseas as
4385 an ex-patriot or military personnel being deployed."

4386 SECTION 143. Section 85W of chapter 231 of the General Laws, as so appearing, is
4387 hereby amended by inserting after the word "compensation", in line 2, the following words:- in
4388 excess of \$500 per year.

4389 SECTION 144. Section 1 of chapter 270 of the General Laws, as so appearing, is hereby
4390 amended by striking out, in lines 2 and 3, the words “, grains of paradise”.

4391 SECTION 145. The ninth paragraph of section 10 of chapter 498 of the acts of 1993, as
4392 amended by section 142 of chapter 268 of the acts of 2022, is hereby further amended by striking
4393 out the last sentence.

4394 SECTION 146. Said section 10 of chapter 498 of the acts of 1993, as amended, is hereby
4395 further amended by adding the following paragraph:-

4396 Notwithstanding the provisions of any general or special law to the contrary and
4397 notwithstanding any provision to the contrary in the Devens Reuse Plan or By-laws: (i) there
4398 shall be no square foot limit or cap on the amount of commercial or industrial development that
4399 may occur within Devens; and (ii) there shall be no limit or cap on the number of residential
4400 units that may be developed within Devens. Nothing in the foregoing sentence shall modify other
4401 provisions of the By-Laws regulating the development of housing within Devens or requiring the
4402 issuance of development permits by the Devens Enterprise Commission for specific projects.

4403 SECTION 146 1/2. Paragraph (ii) of subsection (g) of section (4) of chapter 152 of the
4404 acts of 1997, as amended by section 2 of chapter 256 of the acts of 2006, is hereby further
4405 amended by striking out the first sentence and inserting in place thereof the following sentence:-
4406 The authority shall allow the South Boston Community Development Foundation to sponsor not
4407 less than 3 events annually at the Boston Convention and Exhibition Center, and not less than 6
4408 events annually at the Lawn on D, to raise funds for the South Boston Community Development
4409 Foundation as provided for herein and shall include access to on site parking facilities.

4410 SECTION 146A. Subsection (e) of section 9 of chapter 152 of the acts of 1997 is hereby
4411 amended by inserting after the word “Fund” the following words:- ; and provided further, that
4412 the surcharge shall not apply to rental transaction contracts pursuant to section 32J of chapter 90
4413 of the General Laws,.

4414 SECTION 147. Chapter 195 of the acts of 2014, as amended by section 207 of chapter 6
4415 of the acts of 2017, is hereby further amended by inserting after section 4 the following section:-

4416 Section 4A. The Boston convention and exhibition center in the city of Boston shall be
4417 designated and known as the Thomas Michael Menino Convention and Exhibition Center. The
4418 Authority shall erect and maintain suitable markers bearing such designation.

4419 SECTION 147A. (a) The department of elementary and secondary education shall, in
4420 consultation with relevant stakeholders, implement a 5-year pilot program to develop a process
4421 for granting educator certification that may be used as an alternative to the testing requirements
4422 in section 38G of chapter 71 of the General Laws. The program shall allow candidates for
4423 certification to earn an initial preliminary certification that may lead to permanent certification
4424 after 4 years of teaching experience during which the candidate for licensure demonstrates
4425 teacher proficiency as measured by student growth scores and other factors, as determined by the
4426 department.

4427 (b) The alternative certification process may allow for a waiver of not more than 1 of the
4428 2 testing requirements pursuant to said section 38G of said chapter 71, per candidate, and shall
4429 include consideration of factors, including, but not limited to, whether a candidate has: (i)
4430 obtained certification in another state approved by the department; (ii) completed a satisfactory

4431 portfolio of items that may include student feedback or competency-based projects; or (iii)
4432 obtained a master's degree or doctorate from an accredited institution.

4433 (c) The department shall limit the hiring of candidates alternatively certified pursuant to
4434 this section to those public school districts and charter schools that the department certified as
4435 having demonstrated 1 of the following characteristics: (i) a demographic disparity between the
4436 district's student population and its teaching workforce; (ii) a shortage of teachers to serve
4437 English language learners; or (iii) a critical need to fill teacher vacancies. The department shall
4438 not allow any district to fill more than 10 per cent of its teaching positions with educators
4439 alternatively certified.

4440 (d) The department may use the results of the alternative assessment pilot authorized by
4441 subsection (e) of 603 CMR 7.04 to inform the development of the alternative licensure process
4442 required by this section.

4443 (e) The department shall conduct a comprehensive evaluation of the pilot program and
4444 the use of the alternative certification process during the pilot period. The evaluation shall
4445 include: (i) a measurement of student impacts as measured by student growth and other factors;
4446 (ii) an assessment of progress made in diversifying the educator workforce; and (iii) an
4447 assessment of the impacts on candidates of diverse backgrounds.

4448 SECTION 148. Within 30 days after the effective date of this act, the secretary of
4449 economic development and the secretary of housing of livable communities shall convene a
4450 working group that shall include representatives from the towns of Ayer, Harvard and Shirley,
4451 the Massachusetts Development Finance Agency and the Devens committee to determine a
4452 strategy and plan to provide for increased housing production within Devens, including, but not

4453 limited to, the feasibility of allowing not more than 400 multi-family residential units in the
4454 Innovation and Technology Center zoning district established by Article V(A)(13) of the Devens
4455 Reuse Plan or By-Laws. The secretaries of economic development and housing and livable
4456 communities shall report the findings of the working group to the clerks of the house of
4457 representatives and the senate and the joint committee on economic development and emerging
4458 technologies within 180 days after the effective date of this act.

4459 SECTION 149. (a) There shall be within the executive office of economic development a
4460 5-year surety bond assistance pilot program to encourage the participation of economically and
4461 socially disadvantaged businesses in bidding for and securing contracts for capital projects. The
4462 program may include, but shall not be limited to:

4463 (i) providing technical assistance to eligible contractors to secure surety bonds; and

4464 (ii) providing financial assistance to guarantee surety bonds required on behalf of the
4465 commonwealth or on behalf of any county, city, town, district or other political subdivision of
4466 the commonwealth or other public instrumentality for the construction, reconstruction, alteration,
4467 remodeling, repair or demolition of public buildings or other public works.

4468 (b) The executive office of economic development shall establish eligibility requirements
4469 and other program terms through regulations or program guidelines; provided, however, that
4470 such eligibility requirements shall, to the extent possible, prioritize financial assistance provided
4471 by the program to promote participation of businesses owned by persons from socially and
4472 economically disadvantaged groups for whom access to capital facility projects and state assisted
4473 building projects in the commonwealth has been historically limited. The executive office may

4474 administer the program through 1 or more contracts with the Massachusetts Development
4475 Finance Agency or Massachusetts Growth Capital Corporation.

4476 (c) Not later than December 31 of each year, the executive office of economic
4477 development shall submit a report to the clerks of the house of representatives and the senate and
4478 the joint committee on economic development and emerging technologies detailing the activities
4479 of the program in the previous year, including, but not limited to, an analysis of the provision of
4480 technical and financial assistance services and its impact on increasing access and participation
4481 in capital projects for historically disadvantaged groups. The report shall be made public on the
4482 executive office of economic development's website.

4483 (d) The secretary of economic development may promulgate regulations or program
4484 guidelines as necessary to implement this section.

4485 (e) Implementation of this section shall be subject to the United States Treasury's
4486 approval to use federal funding for the purposes described herein.

4487 SECTION 150. (a) For purposes of this section, the following words shall, unless the
4488 context clearly requires otherwise, have the following meanings:

4489 "Approval", except as otherwise provided in subsection (b), any permit, certificate, order,
4490 excluding enforcement orders, license, certification, determination, exemption, variance, waiver,
4491 building permit or other approval or determination of rights from any municipal, regional or state
4492 governmental entity, including any agency, department, commission or other instrumentality
4493 thereof, concerning the use or development of real property, and any environmental permit,
4494 including certificates, licenses, certifications, determinations, exemptions, variances, waivers,
4495 building permits or other approvals or determinations of rights issued or made under chapter 21

4496 of the General Laws, chapter 21A of the General Laws except section 16 of said chapter 21A,
4497 chapter 21D of the General Laws, section 3B of chapter 21E of the General Laws, sections 61 to
4498 62L, inclusive, of chapter 30 of the General Laws, chapter 30A of the General Laws, chapter 40
4499 of the General Laws, chapters 40A to 40C, inclusive, of the General Laws, chapter 40R of the
4500 General Laws, chapter 40Y of the General Laws, chapter 41 of the General Laws, chapter 43D of
4501 the General Laws, section 21 of chapter 81 of the General Laws, chapter 91 of the General Laws,
4502 chapter 131 of the General Laws, chapter 131A of the General Laws, chapter 143 of the General
4503 Laws, sections 4 and 5 of chapter 249 of the General Laws, chapter 258 of the General Laws or
4504 chapter 665 of the acts of 1956 or any local by-law or ordinance.

4505 “Development”, division of a parcel of land into 2 or more parcels, the construction,
4506 reconstruction, conversion, structural alteration, relocation or enlargement of a building or other
4507 structure or facility or any grading, soil removal or relocation, excavation or landfill or any use
4508 or change in the use of any building or other structure or land or extension of the use of land.

4509 “Tolling period”, the period from January 1, 2023 to January 1, 2025, inclusive.

4510 (b)(1) Notwithstanding any general or special law to the contrary, an approval in effect or
4511 existence during the tolling period shall be extended for a period of 2 years in addition to the
4512 lawful term of the approval; provided, however, that nothing in this section shall extend or
4513 purport to extend: (i) a permit or approval issued by the United States government or an agency
4514 or instrumentality thereof or a permit or approval of which the duration of effect or the date or
4515 terms of its expiration are specified or determined under a law or regulation of the United States
4516 government or an agency or instrumentality thereof; (ii) a permit, license, privilege or approval
4517 issued by the division of fisheries and wildlife under chapter 131 of the General Laws; (iii) an

4518 approval, determination, exemption, certification, statement of qualification or any other
4519 administrative action by the department of energy resources under 225 CMR 20.00, subsection
4520 (c) of section 17 of chapter 25A of the General Laws or corresponding regulations under 225
4521 CMR 21.00; (iv) any agreement entered into by the Massachusetts Department of Transportation
4522 or the Massachusetts Bay Transportation Authority or any permit, license or approval issued by
4523 the department or authority relating to the sale, acquisition or lease or development of real
4524 property owned in whole or in part by the department or authority or the sale, acquisition, lease
4525 or development of any interest therein related to such real property pursuant to chapter 6C or
4526 chapter 161A of the General Laws; or (v) any enforcement order, consent decree or settlement
4527 agreement.

4528 (2) Nothing in this section shall affect the ability of a municipal, regional or state
4529 governmental entity, including an agency, department, commission or other instrumentality
4530 thereof, to revoke or modify a specific permit or approval, or extension of a specific permit or
4531 approval, under this section, when that specific permit or approval or the law or regulation under
4532 which the permit or approval was issued contains language authorizing the modification or
4533 revocation of the permit or approval.

4534 (3) If an approval tolled under this section is based upon the connection to a sanitary
4535 sewer system, the extension of the approval shall be contingent upon the availability of sufficient
4536 capacity, on the part of the treatment facility, to accommodate the development for whose
4537 approval has been extended. If sufficient capacity is not available, then the permit holders whose
4538 approvals have been extended shall have priority with regard to the further allocation of
4539 gallonage over the permit holders who have not received approval of a hookup prior to the
4540 effective date of this section. Priority regarding the distribution of further gallonage to a permit

4541 holder who has received the extension of an approval under this section shall be allocated in
4542 order of the granting of the original approval of the connection.

4543 (4) If an owner or petitioner sells or otherwise transfers a property or project in order for
4544 an approval to receive an extension, all commitments made by the original owner or petitioner
4545 under the terms of the permit shall be assigned to and assumed by the new owner or petitioner. If
4546 the new owner or petitioner does not meet or abide by such commitments, then the approval shall
4547 not be extended under this section.

4548 (5) Nothing in this section shall be construed or implemented in such a way as to modify
4549 a requirement of law that is necessary to retain federal delegation to or assumption by the
4550 commonwealth of the authority to implement a federal law or program.

4551 (6) Any project covered by approval in effect during the tolling period shall be governed
4552 by the applicable provisions of any local ordinance or by-law, if any, in effect at the time of the
4553 granting of the approval, unless the owner or petitioner of such project elects to waive the
4554 provisions of this section.

4555 SECTION 151. The Massachusetts clean energy technology center, in consultation with
4556 the executive office of economic development, shall set benchmarks for the climatetech tax
4557 incentive program established in section 16 of chapter 23J of the General Laws, inserted by
4558 section 74. After the program has been in effect for 5 years, the center, in consultation with the
4559 executive office of economic development, shall conduct an evaluation of the program by
4560 comparing climatetech advancements in the commonwealth against the benchmarks. The center
4561 shall review progress made towards the goals of developing and expanding climatetech industry-
4562 related employment opportunities and climatetech-related economic development by supporting

4563 and stimulating research, development, innovation, manufacturing, deployment and
4564 commercialization in the climatetech sector. The center shall submit a written report to the clerks
4565 of the house of representatives and the senate, the house and senate committees on ways and
4566 means, the joint committee on economic development and emerging technologies, the joint
4567 committee on telecommunications, utilities and energy, the joint committee on environment and
4568 natural resources and the joint committee on agriculture not later than December 31, 2029.

4569 SECTION 152. The Massachusetts office of business development, in conjunction with
4570 the commissioner of revenue, shall report on the impact of the live theater tax credit pursuant to
4571 subsection (ee) of section 6 of chapter 62 of the General Laws and section 380O of chapter 63 of
4572 the General Laws and shall submit the report to the clerks of the house of representatives and the
4573 senate, the house and senate committees on ways and means and the joint committee on
4574 economic development and emerging technologies not later than December 31, 2028. The office
4575 and commissioner shall collaborate with the live theater industry to collect the relevant data for
4576 the report. The report shall include data to assess the direct and indirect economic impacts of the
4577 live theater tax credit on the economy of the commonwealth, including, but not limited to,
4578 estimates of theater tickets sales to domestic and international visitors, spending by live theater
4579 productions on adjacent businesses, wages paid for setting up and taking down productions and
4580 impacts on businesses in proximity to theaters, including, but not limited to, hotels and
4581 restaurants.

4582 SECTION 153. (a) Notwithstanding section 39M of chapter 30 of the General Laws,
4583 chapter 149 of the General Laws and chapter 149A of the General Laws, a public agency or
4584 municipality may require a project labor agreement on contracts for public works construction
4585 and may require the project labor agreement to be incorporated into the contract specifications;

4586 provided, that prior to including a project labor agreement requirement, the public agency or
4587 municipality shall make a determination prior to issuing a request for proposals or bids that the
4588 project labor agreement on a specific project is in the best interest of the commonwealth, public
4589 agency or municipality.

4590 (b) In making a determination of the best interest of the commonwealth, public agency or
4591 municipality pursuant to subsection (a), the agency or municipality shall consider the effects a
4592 project labor agreement may have on: (i) construction efficiency, cost and direct and indirect
4593 economic benefits to the public agency or municipality; (ii) the availability of a sufficient supply
4594 of skilled, qualified workers to complete the project; (iii) the timing of, and the prevention of
4595 delays or disruptions to, the construction process; (iv) the safety and quality of the public
4596 construction project; (v) the expansion of apprenticeship programs and workforce development
4597 in the construction industry; and (vi) the promotion of employment and training opportunities for
4598 women, minority workers and veterans.

4599 (c) The department of labor standards shall promulgate regulations to increase diversity
4600 of contractors in project labor agreements, including, but not limited to: (i) incentivizing a certain
4601 percentage of contracts with minority-owned businesses; and (ii) demographics of the workforce
4602 reflecting the demographics, to the extent possible, where a project is located.

4603 SECTION 154. (a) Notwithstanding section 4 of chapter 128C of the General Laws,
4604 section 11 of chapter 494 of the acts of 1978 or any other general or special law to the contrary,
4605 the running horse racing licensee in Suffolk county that conducted simulcasting as of December
4606 31, 2020 and the greyhound dog racing meeting licensee located in Bristol county shall not be

4607 obligated to make any further payments into the Running Horse Capital Improvements Trust
4608 Fund, established pursuant to said section 11 of said chapter 494.

4609 (b) All amounts in the Running Horse Capital Improvements Trust Fund attributable to
4610 any greyhound dog racing meeting licensees shall be returned by the Massachusetts Gaming
4611 Commission to the licensees without further condition.

4612

4613 SECTION 155. (a) Notwithstanding section 17 of chapter 138 of the General Laws or
4614 any other law, rule, regulation or provision to the contrary, the licensing board for the city of
4615 Boston may grant 1 non-transferable restricted license for the sale of all alcoholic beverages to
4616 be drunk on the premises pursuant to section 12 of said chapter 138 to The Boston Landing Hotel
4617 Project located at 178-170 Guest street in the Brighton section of the city of Boston approved by
4618 the board of the Boston Redevelopment Authority, and is located within Planned Development
4619 Area No. 87, Boston Landing, Guest street and Life street in the Brighton section of the city of
4620 Boston.

4621 (b) If a licensee pursuant to subsection (a) terminates or fails to renew the license or if the
4622 license is cancelled, revoked or otherwise no longer in use, the license shall be returned
4623 physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the
4624 licensing board and the licensing board may then grant that license to a new applicant within
4625 Planned Development Area No. 87, Boston Landing in the Brighton section of the city of
4626 Boston. The licensing board shall not approve the transfer of the license granted pursuant to this
4627 section to a location outside of said Planned Development Area No. 87 in the Brighton section of
4628 the city of Boston.

4629 SECTION 155A. (a)(1) Notwithstanding any general or special law to the contrary, and
4630 subject to section 5A of chapter 3 of the General Laws, the commissioner of conservation and
4631 recreation is hereby authorized and directed to lease to the New Bedford Harbor Development
4632 Commission, doing business as the New Bedford Port Authority, a certain area in and over the
4633 waters of the Acushnet river in the city of New Bedford, together with improvements thereon
4634 and all easements, rights, privileges and appurtenances thereto for the operation and maintenance
4635 of a recreational marine boating facility and recreational area, known as the Pope's Island
4636 Marina, for a term of 10 years and 2 5-year options to extend.

4637 (2) The city of New Bedford shall not enter into sub-agreements of any kind for the
4638 operation and maintenance of the marina without prior written authorization from the
4639 commissioner of conservation and recreation. True copies of any such written authorization shall
4640 be filed with the clerks of the house of representatives and the senate and no later than 45 days
4641 after execution.

4642 (b) The lease and any extensions executed under this act shall be on terms and conditions
4643 acceptable to the commissioner of conservation and recreation; provided, however, that the lease
4644 and any extensions shall provide, at its sole cost and expense, that the city of New Bedford: (i)
4645 provide oversight, operations, maintenance and repair of the property, including the land,
4646 facilities and appurtenances associated therewith during the term of the lease; (ii) shall carry
4647 comprehensive general liability insurance naming the commonwealth as a co-insured, protecting
4648 the commonwealth against all claims for personal injury or property damage arising from the use
4649 of the land and appurtenances associated therewith during the term of the lease and any
4650 extension thereof; (iii) subject to clauses (v) and (vi), may retain revenues from usage fees during
4651 the term of the lease and the proceeds from concessions associated with use of the property for

4652 the sole purpose of the design, construction, operation, programming, maintenance and repair
4653 expenses of the property over the course of the lease in addition to a 1-time reimbursement for
4654 costs defined in section 2 herein; (iv) may charge not more than \$90 per linear foot for use of
4655 slips without prior written authorization from the commissioner of conservation and recreation;
4656 (v) shall deposit into an escrow account, shared with the department of conservation and
4657 recreation, not less than \$100,000 annually, adjusted to the price adjustment formulae indices
4658 every 5 years, to fund capital investments of the property; (vi) shall pay to the department of
4659 conservation, in quarterly installments, 10 per cent of the annual gross revenues defined as total
4660 gross revenues after deduction of the \$100,000 described in clause (v); (vii) shall, not later than 3
4661 months after the close of each calendar year, prepare an annual report detailing its performance
4662 against the goals for the prior year, detailing all revenues and expenditures of funds for the prior
4663 year pursuant to this section, regardless of source, and specifying all usage and programming fee
4664 rates associated with planned programs and activities, and submit the report to the commissioner
4665 of conservation and recreation; (viii) shall not design, install or construct any facilities on the
4666 property without the written approval of the commissioner of conservation and recreation; (ix)
4667 shall be responsible for all utility costs; (x) shall provide not less than 20 parking spaces at no
4668 charge to visitors of the abutting playground facility; and (xi) may be responsible for outreach
4669 and stewardship with the written approval of the commissioner of conservation and recreation.

4670 (c) The lease and any extensions shall each be reviewed by the inspector general for
4671 comment and recommendation.

4672 (d) Before entering into the lease, the commissioner of conservation and recreation shall
4673 determine the exact boundaries of the property after completion of a title examination and a
4674 survey each commissioned by the department of conservation and recreation.

4675 (e) The city of New Bedford shall be responsible for all costs and expenses associated
4676 with any engineering, surveys, appraisals and lease preparation related to the execution of the
4677 lease and any extensions under this act; provided, however, that the commonwealth shall not be
4678 required to contribute to any such costs.

4679 (f) Within 90 days of the effective date of this act, the commissioner of conservation and
4680 recreation shall issue to the city of New Bedford a license to operate and maintain the marina.
4681 The terms of said license shall be consistent with this section.

4682 (g) If the land, building and facilities, field and appurtenances comprising the property
4683 cease to be used by the city of New Bedford for the purposes and in the manner described in this
4684 section at any time before the conclusion of the lease term, the property shall revert to the
4685 commonwealth upon such terms and conditions as the commissioner of department of
4686 conservation and recreation may determine, and shall be assigned to the care, custody and
4687 control of the department of conservation and recreation.

4688 (h) If the commissioner of conservation and recreation fails to enter into a lease with the
4689 city of New Bedford pursuant subsection (a) before July 1, 2025, the commissioner shall issue,
4690 on or before October 1, 2025, a request for proposals seeking a lessee to operate and maintain the
4691 Popes Island Marina and recreational area. Any lease resulting from a request for proposals
4692 process pursuant to this section shall be for a term not to exceed 20 years, inclusive of any
4693 extensions.

4694 SECTION 156. (a) There is hereby established a special commission to study the future
4695 of payments and sales transactions by credit card and other forms of payment and the impacts for
4696 small businesses in the commonwealth. The commission shall solicit input from the public,

4697 businesses and the payments industry on payment trends, the prevalence of cashless transactions
4698 and cashless businesses in the commonwealth, credit card fees, mobile payments, buy-now-pay-
4699 later financing and other aspects of the payments industry.

4700 (b) The commission shall study and review: (i) the cost to small businesses operating in
4701 the commonwealth of conducting sales transactions with consumers using credit cards or other
4702 means of payment, including, but not limited to, cash, check or similar means; (ii) the impact of
4703 the increasing use of credit cards or other means of payment by consumers on small businesses;
4704 and (iii) the impact of section 28A of chapter 140D of the General Laws on small businesses
4705 owned and operated in the commonwealth. The commission shall report on the impact on small
4706 businesses operating in the commonwealth and provide recommendations on the future use of
4707 credit cards and other forms of payment for the long-term success of small businesses in the
4708 commonwealth.

4709 (c) The commission shall consist of the following members: the chairs of the joint
4710 committee on financial services, who shall serve as co-chairs; 1 member appointed by the
4711 attorney general; the secretary of economic development, or a designee; the commissioner of the
4712 division of banks, or a designee; 1 member appointed by the Massachusetts Bankers Association;
4713 a representative of the Retailers Association of Massachusetts, Inc.; a representative of the
4714 Massachusetts Restaurant Association; 1 member appointed by the Massachusetts chapter of the
4715 national federation of independent businesses; and 2 members appointed by the governor who
4716 shall have experience owning and operating a small business in the commonwealth. The
4717 appointees of the governor shall represent diverse geographic areas of the commonwealth.

4718 (d) Not later than July 1, 2025, the commission shall file a report and its
4719 recommendations with the clerks of the house of representatives and the senate, the joint
4720 committee on financial services and the joint committee on economic development and emerging
4721 technologies.

4722 SECTION 157. Notwithstanding any general or special law to the contrary, the
4723 unexpended and unencumbered balances of the bond-funded authorizations in the following
4724 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
4725 7002-0015, 7002-8005, 7002-8013, 7002-8016, 7002-8017, 7002-8018, 7002-8019, 7002-8020,
4726 7002-8022, 7002-8035, 7002-8037, 7002-8038, 7002-8052, 7002-8060, 7005-8035, 7007-9035,
4727 7002-8010, 7002-8015, 7002-8030, 7002-8045, 7002-8050, 7002-8055 and 7002-8065.

4728 SECTION 158. Notwithstanding any general or special law to the contrary, to meet the
4729 expenditures necessary in carrying out sections 2 to 2B, inclusive, the state treasurer shall, upon
4730 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
4731 be specified by the governor from time to time but not exceeding, in the aggregate,
4732 \$2,370,827,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on
4733 their face "An Act Relative to Strengthening Massachusetts' Economic Leadership" and shall be
4734 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
4735 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
4736 provided, however, that all such bonds shall be payable not later than June 30, 2059. All interest
4737 and payments on account of principal on such obligations shall be payable from the General
4738 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
4739 any other provision of this act, be general obligations of the commonwealth.

4740 SECTION 159. Notwithstanding any general or special law to the contrary, to meet the
4741 expenditures necessary in carrying out section 2C, the state treasurer shall, upon receipt of a
4742 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
4743 by the governor from time to time but not exceeding, in the aggregate \$1,030,000,000. All bonds
4744 issued by the commonwealth, as aforesaid, shall be designated on their face “An Act Relative to
4745 Strengthening Massachusetts’ Economic Leadership” and shall be issued for a maximum term of
4746 years, not exceeding 30 years, as the governor may recommend to the general court pursuant to
4747 section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
4748 such bonds shall be payable not later than June 30, 2064. All interest and payments on account of
4749 principal on such obligations shall be payable from the General Fund. Bonds and interest thereon
4750 issued under the authority of this section shall, notwithstanding any other provision of this act, be
4751 general obligations of the commonwealth.

4752 SECTION 159A. (a) Notwithstanding any general or special law to the contrary, each
4753 school district, as defined in section 2 of chapter 70 of the General Laws, and each charter
4754 school, as defined in section 89 of chapter 71 of the General Laws, shall establish a diversity
4755 plan that conforms with the guidelines established by the department of elementary and
4756 secondary education pursuant to subsection (b). Such plans shall set forth specific goals and
4757 timetables for achievement. The plans shall comply with all applicable state and federal laws and
4758 shall be updated after 3 years.

4759 (b) To promote a racially and ethnically diverse educator workforce, the department of
4760 elementary and secondary education shall:

4761 (i) establish guidelines for diversity plans that shall include, but not be limited to, the
4762 following goals: (A) identify and eliminate discriminatory barriers to hiring and learning in a
4763 school or district; (B) remedy the effects of past discriminatory practices; (C) identify, recruit
4764 and hire employees who are members of under-represented groups; (D) develop, promote and
4765 retain employees who are members of under-represented groups; and (E) ensure equal
4766 opportunity in employment for educators. In developing these guidelines, the department shall
4767 consult with experts and school leaders from public schools or school districts that have
4768 experienced significant increases in hiring and retaining racially and ethnically diverse
4769 educators;

4770 (ii) establish a process for reviewing diversity plans based on clearly defined criteria. A
4771 public school district or charter school shall amend any plan deemed not to conform with the
4772 requirements of this section. A public school district or charter school shall be deemed to have
4773 satisfied the requirements of this section if it has prioritized diversity in its 3-year plan required
4774 by section 1S of chapter 69 of the General Laws or in any other strategic plan developed by the
4775 district;

4776 (iii) establish periodic reporting requirements for public school districts and charter
4777 schools concerning the implementation of their diversity plans and all actions taken to ensure
4778 compliance with this section and applicable state and federal laws. These reporting requirements
4779 shall be incorporated into existing reporting mechanisms and schedules where feasible;

4780 (iv) assist public school districts and charter schools in complying with their diversity
4781 plans and applicable federal and state laws; and

4782 (v) require approved educator preparation programs to implement diversity plans to
4783 increase the racial and ethnic diversity of program completers. These plans shall be required as
4784 part of the educator preparation program approval process and the department shall make each
4785 program's plan publicly available. The department shall establish guidelines for educator
4786 preparation program diversity plans.

4787 (c) The board of elementary and secondary education shall review compliance with these
4788 diversity plans and policies on a regular basis and may provide further recommendations
4789 regarding educator diversity.

4790 SECTION 159B. (a) Notwithstanding any general or special law to the contrary, each
4791 school district, as defined in section 2 of chapter 70 of the General Laws, and each charter school
4792 as defined in section 89 of chapter 71 of the General Laws, shall have a diversity, equity and
4793 inclusion officer or shall establish a diversity team, referred to in this section as a diversity
4794 officer or team. The role and responsibilities of a diversity officer or team may be assigned to an
4795 existing school employee or existing school entity. Diversity officers and teams shall report
4796 directly to the superintendent. Diversity officers and teams shall coordinate their school district
4797 or school's compliance with the requirements of this section and applicable federal and state
4798 laws.

4799 (b) Each school district and charter school shall establish a process for advising the
4800 school committee or board of trustees on matters of diversity, equity and inclusion in the school
4801 district. The process may include establishing an educator diversity council consisting of
4802 educators, administrators and students, which shall meet regularly with the superintendent or the
4803 diversity officer or team and the school committee or board of trustees. The school committee or

4804 board of trustees may appoint 1 of its members to serve as an ex-officio member of the educator
4805 diversity council.

4806 (c) Pursuant to guidelines established by the department of elementary and secondary
4807 education, all superintendents, school committee members, boards of trustees, district leaders,
4808 principals and school district employees shall complete a diversity and implicit bias training
4809 course, the frequency of which shall be established by the department.

4810 SECTION 159C. (a) Notwithstanding any general or special law to the contrary, the
4811 department of elementary and secondary education shall set measurable educator diversity goals
4812 for the commonwealth and shall collect and report publicly statewide educator diversity data.
4813 The data shall be reported in an online dashboard established in consultation with the board of
4814 elementary and secondary education. The data shall include, but not be limited to, (i) the number
4815 of educators hired and retained who meet the department's educator diversity goals; (ii) racial
4816 demographics of educators who complete Massachusetts state educator preparation programs,
4817 and (iii) teacher qualification data from school and district report cards. The department shall
4818 report on the success of the 5-year pilot program developed pursuant to section 147A, diversity
4819 plans implemented pursuant to section 159A and the diversity, equity and inclusion officers or
4820 diversity teams implemented pursuant to section 159B. The department shall report annually to
4821 the board of elementary and secondary education on state educator diversity data and goals. The
4822 department shall also submit a report on the state of educator diversity to the clerks of the house
4823 of representatives and the senate not later than June 30.

4824 (b) Each public school district and charter school shall collect and report educator
4825 diversity data publicly in a manner prescribed by the department; provided, that the department

4826 shall utilize existing reporting mechanisms and schedules to collect educator diversity data and
4827 outcomes and shall annually present both to the school committee or board of trustees. The data
4828 reported pursuant to this paragraph shall include information regarding the achievement of goals
4829 set pursuant to clause (i) of subsection (b) of section 159A.

4830 SECTION 159D. The department of elementary and secondary education shall
4831 promulgate rules and regulations for sections 147A, 159A, 159B and 159C to implement the
4832 requirements. Such regulations shall include a schedule for public school districts and charter
4833 schools to meet the planning and reporting requirements; provided, that such schedule shall
4834 prioritize implementation for school districts and charter schools that have significant race and
4835 ethnicity disparities between educator and student demographics.

4836 SECTION 159E. The executive office of health and human services shall conduct an
4837 evaluation of the impact of removal of the licensing examination requirement for licensed
4838 certified social workers pursuant to sections 31 and 32 of chapter 112 of the General Laws, as
4839 amended by sections 121B and 121D. The executive office shall contract with an independent
4840 evaluation consultant to perform the evaluation. The evaluation shall include, but shall not be
4841 limited to: (i) an analysis of the impact of removing the examination requirement on alleviating
4842 shortages of qualified social workers; (ii) expanding access to quality behavioral health services;
4843 (iii) increasing the diversity of the social worker workforce among diverse language skills, race,
4844 ethnicity and cultural backgrounds; and (iv) the impact of any increase in diversity on patient
4845 care, particularly for vulnerable populations. In preparing the evaluation, the consultant shall
4846 meet with representatives of organizations representing social workers, social work education,
4847 social work testing, social work patients, behavioral health advocacy organizations and other
4848 groups that may assist in the evaluation. The evaluation and analysis shall be conducted

4849 independently of the executive office. The executive office shall submit the evaluation to the
4850 joint committee on higher education, the joint committee on mental health, substance use and
4851 recovery and the house and senate committees on ways and means not later than July 1, 2028.

4852 SECTION 160. Pursuant to section 121, a commercial electric vehicle charging station
4853 operating in the commonwealth as of January 1, 2025 shall be required to register with the
4854 division of standards in the office of consumer affairs and business regulation not later than
4855 January 1, 2026.

4856 SECTION 160A. Sections 147A, 159A, 159B, 159C and 159D are hereby repealed.

4857 SECTION 161. Sections 3M and 3N of chapter 23A of the General Laws, inserted by
4858 section 31, subsections (ee) and (ii) of section 6 of chapter 62 of the General Laws, inserted by
4859 section 103, and sections 38OO and 38TT of chapter 63 of the General Laws, inserted by section
4860 118, subsection (zz) of section 6 of chapter 64H of the General Laws, inserted by section 120,
4861 shall take effect for taxable years beginning on or after January 1, 2025.

4862 SECTION 162. Subsection (hh) of section 6 of chapter 62 of the General Laws, inserted
4863 by section 103, and section 38SS of chapter 63 of the General Laws, inserted by section 118,
4864 shall take effect for taxable years beginning on or after January 1 of the first year following a
4865 fiscal year which closes with a consolidated net surplus of at least \$400,000,000 pursuant to
4866 section 5C of chapter 29 of the General Laws. Annually, not later than 30 days after the
4867 comptroller certifies the amount of the consolidated net surplus pursuant to said section 5C of
4868 said chapter 29, the commissioner of revenue shall certify to the secretary of administration and
4869 finance whether said subsection (hh) of said section 6 of said chapter 62, inserted by said section
4870 103, and said section 38SS of said chapter 63, inserted by said section 118, shall take effect

4871 pursuant to this section; provided, however, that no such certification by the commissioner of
4872 revenue shall be required in any year after said subsection (hh) of said section 6 of said chapter
4873 62, inserted by said section 103, and said section 38SS of said chapter 63, inserted by said
4874 section 118, take effect.

4875 SECTION 163. Sections 3M and 3N of chapter 23A of the General Laws, inserted by
4876 section 31, subsections (ee) and (ii) of section 6 of chapter 62 of the General Laws, inserted by
4877 section 103, and sections 38OO and 38TT of chapter 63 of the General Laws, inserted by section
4878 118, subsection (zz) of section 6 of chapter 64H of the General Laws, inserted by section 120,
4879 are hereby repealed; provided, however, that any credits allowed pursuant to this act may be
4880 carried forward pursuant to subsections (ee) and (ii) of said section 6 of said chapter 62, inserted
4881 by section 103, and said sections 38OO and 38TT of said chapter 63, inserted by section 118,
4882 after January 1, 2030.

4883 SECTION 164. Section 163 shall take effect on January 1, 2030.

4884 SECTION 165. Subsection (hh) of section 6 of chapter 62 of the General Laws, inserted
4885 by section 103, and section 38SS of chapter 63 of the General Laws, inserted by section 118, are
4886 hereby repealed.

4887 SECTION 166. Section 165 shall take effect on January 1 of the sixth tax year following
4888 the effective date of subsection (hh) of section 6 of chapter 62 of the General Laws, inserted by
4889 section 103, and section 38SS of chapter 63 of the General Laws, inserted by section 118, as
4890 determined pursuant to section 162.

4891 SECTION 167. Sections 74, 101, 102; subsections (ff) and (gg) of section 6 of chapter 62
4892 of the General Laws, inserted by section 103; sections 38PP, 38QQ, and 38RR of chapter 63 of

4893 the General Laws, inserted by section 118; and subsection (yy) of section 6 of chapter 64H of the
4894 General Laws, inserted by section 120, shall apply to tax years beginning on or after January 1,
4895 2024.

4896 SECTION 167A. The exemptions authorized in paragraph (aaa) of section 6 of chapter
4897 64H of the General Laws, inserted by section 103, shall be effective for costs incurred after the
4898 effective date of this act.

4899 SECTION 167A 1/4. Sections 121B and 121D shall take effect on January 1, 2026.

4900 SECTION 167A 1/2. Sections 121C and 121E shall take effect on January 1, 2029.

4901 SECTION 167B. Section 147A shall take effect 90 days after the effective date of this
4902 act.

4903 SECTION 167C. Section 160A shall take effect 5 years after the effective date of this act.

4904 SECTION 167D. Sections 78R and 78TT shall take effect on January 1, 2035.

4905 SECTION 167E. Section 78OO shall take effect 1 year after the effective date of this act.