



14           7004-0039. For a program of loan guarantees or interest subsidies to assist homeowners  
15 with blindness or severe disabilities in making modifications to their primary residence for the  
16 purpose of improved accessibility or to allow those homeowners to live independently in the  
17 community; provided, that the secretary shall take all steps necessary to minimize the program's  
18 administrative costs; provided further, that the loan guarantees shall be available on the basis of a  
19 sliding scale that relates the homeowner's income and assets to the cost of home modifications;  
20 provided further, that interest subsidies shall be means-tested and may be for 0 per cent pursuant  
21 to income standards developed by the secretary; provided further, that the repayment of the loans  
22 may be delayed until the sale of the principal residence by the homeowner; provided further, that  
23 persons residing in a development covered by section 4 of chapter 151B of the General Laws  
24 shall not be eligible for the program unless the owner can show that the modification is an undue  
25 financial burden; provided further, that the secretary shall consult with the Massachusetts  
26 commission for the blind and the Massachusetts rehabilitation commission in developing the  
27 rules, regulations and guidelines for the program; provided further, that nothing in this item shall  
28 give rise to enforceable legal rights in any party or an enforceable entitlement to services; and  
29 provided further, that the secretary shall submit quarterly reports to the house and senate  
30 committees on ways and means, the house and senate committees on bonding, capital  
31 expenditures and state assets and the joint committee on housing detailing the status of the  
32 program established in this item..... \$55,000,000

33                           EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

34                           Department of Housing and Community Development.

35           7004-0040. For state financial assistance in the form of loans for the development of  
36 community-based housing or supportive housing for individuals with mental illness and  
37 individuals with intellectual disabilities; provided, that the loan program shall be administered by  
38 the department of housing and community development, referred to in this item as the  
39 department, through contracts with the Massachusetts Development Finance Agency established  
40 in chapter 23G of the General Laws, the Community Economic Development Assistance  
41 Corporation established in chapter 40H of the General Laws, operating agencies established  
42 pursuant to chapter 121B of the General Laws and the Massachusetts Housing Finance Agency  
43 established in chapter 708 of the acts of 1966; provided further, that those agencies may develop  
44 or finance community-based housing or supportive housing or may enter into subcontracts with  
45 nonprofit organizations established pursuant to chapter 180 of the General Laws or organizations  
46 in which such nonprofit corporations have a controlling financial or managerial interest or for-  
47 profit organizations; provided, however, that preference for the subcontracts shall be given to  
48 nonprofit organizations; provided further, that the department shall consider a balanced  
49 geographic plan for such community-based housing or supportive housing when issuing the  
50 loans; provided further, that the department shall consider development of a balanced range of  
51 housing models by prioritizing funds for integrated housing as defined by the appropriate  
52 housing and service agencies including, but not limited to, the department of housing and  
53 community development, the Massachusetts rehabilitation commission, the department of mental  
54 health and the department of developmental services, in consultation with relevant and interested  
55 clients, their families, advocates and other parties as necessary; provided further, that loans  
56 issued pursuant to this item shall: (i) not exceed 50 per cent of the financing of the total  
57 development costs; (ii) be issued only when a contract or agreement for the use of the property

58 for such housing provides for repayment to the commonwealth at the time of disposition of the  
59 property in an amount equal to the commonwealth's proportional contribution from the Facilities  
60 Consolidation Fund to the cost of the development through payments made by the state agency  
61 making the contract; (iii) only be issued when a contract or agreement for the use of the property  
62 for the purposes of such housing provides for the recording of a deed restriction in the registry of  
63 deeds or the registry district of the land court of the county in which the real property is located,  
64 for the benefit of the departments, running with the land, that the land be used to provide  
65 community-based housing or supportive housing for eligible individuals as determined by the  
66 department of mental health and the department of developmental services; provided, however,  
67 that the property shall not be released from such restriction until the balance of the principal and  
68 interest for the loan has been repaid in full or until a mortgage foreclosure deed has been  
69 recorded; (iv) be issued for a term not to exceed 30 years during which time repayment may be  
70 deferred by the loan issuing authority; provided, however, that if on the date the loans become  
71 due and payable to the commonwealth an outstanding balance exists and if, on such date, the  
72 department, in consultation with the executive office of health and human services, determines  
73 that there still exists a need for such housing and that there is continued funding available for the  
74 provision of services to such development, the department may, by agreement with the owner of  
75 the development, extend the loans for such periods, each period not to exceed 10 years, as the  
76 department shall determine; provided further, that the project shall remain affordable housing for  
77 the duration of the loan term, including any extension thereof, as set forth in the contract or  
78 agreement entered into by the department; provided, further, that in the event the terms of  
79 repayment detailed in this item would cause a project authorized by this item to become  
80 ineligible to receive federal funds which would otherwise assist in the development of that

81 project, the department may waive the terms of repayment which would cause the project to  
82 become ineligible; and (v) have interest rates fixed at a rate, to be determined by the department,  
83 in consultation with the state treasurer; provided further, that the loans shall be provided only for  
84 projects conforming to this item; provided further, that the loans shall be issued in accordance  
85 with a facilities consolidation plan prepared by the secretary of health and human services,  
86 reviewed and approved by the department and filed with the secretary of administration and  
87 finance, the house and senate committees on ways and means, the house and senate committees  
88 on bonding, capital expenditures and state assets and the joint committee on housing; provided  
89 further, that no expenditure shall be made from this item without the prior approval of the  
90 secretary of administration and finance; provided further, that the department, the department of  
91 mental health and the Community Economic Development Assistance Corporation may identify  
92 appropriate financing mechanisms and guidelines for grants or loans from this item to promote  
93 private development to produce housing, to provide for independent integrated living  
94 opportunities, to write down building and operating costs and to serve households at or below 15  
95 per cent of area median income for the benefit of department of mental health clients; provided  
96 further, that not more than \$10,000,000 may be expended from this item for a pilot program of  
97 community-based housing or supportive housing loans to serve mentally ill homeless individuals  
98 in the current or former care of the department of mental health; provided further, that in  
99 implementing the pilot program, the department shall consider a balanced geographic plan when  
100 establishing community-based residences; provided further, that the housing services made  
101 available pursuant to such loans shall not be construed as a right or an entitlement for any  
102 individual or class of persons to the benefits of the pilot program; provided further, that  
103 eligibility for the pilot program shall be established by regulations promulgated by the

104 department; and provided further, that the department shall promulgate regulations pursuant to  
105 chapter 30A of the General Laws for the implementation, administration and enforcement of this  
106 item, consistent with the facilities consolidation plan prepared by the secretary of health and  
107 human services and after consultation with the secretary and the commissioner of the division of  
108 capital asset management and maintenance..... \$47,000,000

109           7004-0041. For state financial assistance in the form of loans for the development and  
110 redevelopment of community-based housing or supportive housing for persons with disabilities  
111 who are institutionalized or at risk of being institutionalized, who are not eligible for housing  
112 developed pursuant to item 7004-0040; provided, that the loan program shall be administered by  
113 the department of housing and community development, referred to in this item as the  
114 department, through contracts with the Massachusetts Development Finance Agency established  
115 in chapter 23G of the General Laws, the Community Economic Development Assistance  
116 Corporation established in chapter 40H of the General Laws, operating agencies established  
117 pursuant to chapter 121B of the General Laws and the Massachusetts Housing Finance Agency  
118 established in chapter 708 of the acts of 1966; provided further, that the agencies may develop or  
119 finance the community-based housing or supportive housing or may enter into subcontracts with  
120 nonprofit organizations established pursuant to chapter 180 of the General Laws or organizations  
121 in which such nonprofit corporations have a controlling financial or managerial interest or for-  
122 profit organizations; provided, however, that preference for such subcontracts shall be given to  
123 nonprofit organizations; provided further, that the department shall consider a balanced  
124 geographic plan for such community-based housing or supportive housing when issuing the  
125 loans; provided further, that all housing developed with these funds shall be integrated housing  
126 as defined by the appropriate state housing and service agencies including, but not limited to, the

127 department, the executive office of health and human services and the Massachusetts  
128 rehabilitation commission in consultation with relevant and interested clients, their families,  
129 advocates and other parties as necessary; provided further, that loans issued pursuant to this item  
130 shall: (i) not exceed 50 per cent of the financing of the total development costs; (ii) be issued  
131 only when a contract or agreement for the use of the property for the purposes of such housing  
132 provides for repayment to the commonwealth at the time of disposition of the property in an  
133 amount equal to the commonwealth's proportional contribution from community based housing  
134 to the cost of the development through payments made by the state agency making the contract;  
135 (iii) only be issued when a contract or agreement for the use of the property for the purposes of  
136 such community-based housing or supportive housing provides for the recording of a deed  
137 restriction in the registry of deeds or the registry district of the land court of the county in which  
138 the real property is located, for the benefit of the departments, running with the land, that the  
139 land be used to provide community-based housing or supportive housing for eligible individuals  
140 as determined by the Massachusetts rehabilitation commission or other agency of the executive  
141 office of health and human services; provided, however, that the property shall not be released  
142 from such restrictions until the balance of the principal and interest for the loan has been repaid  
143 in full or until a mortgage foreclosure deed has been recorded; (iv) be issued for a term not to  
144 exceed 30 years during which time repayment may be deferred by the loan issuing authority;  
145 provided, however , that if on the date the loans become due and payable to the commonwealth  
146 an outstanding balance exists and if on that date, the department, in consultation with the  
147 executive office of health and human services, determines that there still exists a need for such  
148 housing, the department may, by agreement with the owner of the development, extend the loans  
149 for such periods, each period not to exceed 10 years, as the department shall determine;

150 provided, however, that the project shall continue to remain affordable housing for the duration  
151 of the loan term, including any extensions thereof, as set forth in the contract or agreement  
152 entered into by the department; provided however, that in the event the terms of repayment  
153 detailed in this item would cause a project authorized by this item to become ineligible to receive  
154 federal funds which would otherwise assist in the development of that project, that department  
155 may waive the terms of repayment which would cause the project to become ineligible; and (v)  
156 have interest rates fixed at a rate, to be determined by the department, in consultation with the  
157 state treasurer; provided further, the loans shall be provided only for projects conforming to this  
158 item; provided further, that the loans shall be issued in accordance with an enhancing  
159 community-based services plan prepared by the secretary of health and human services, in  
160 consultation with the department and filed with the secretary of administration and finance and  
161 the house and senate committees on ways and means, the house and senate committees on  
162 bonding, capital expenditures and state assets and the joint committee on housing; provided  
163 further, that no expenditure shall be made from this item without the prior approval of the  
164 secretary of administration and finance; and provided further, that the department shall  
165 promulgate regulations pursuant to chapter 30A of the General Laws for the implementation,  
166 administration and enforcement of this item, consistent with the enhancing community-based  
167 services plan prepared by the secretary of health and human services after consultation with the  
168 secretary and the commissioner of capital asset management and  
169 maintenance..... \$38,000,000

170           7004-0042. For the capitalization of the Affordable Housing Trust Fund, established in  
171 section 2 of chapter 121D of the General Laws..... \$305,000,000



172           7004-0043. For the purpose of state financial assistance in the form of grants or loans for  
173 the Housing Stabilization and Investment Trust Fund established in section 2 of chapter 121F of  
174 the General Laws and awarded only pursuant to the criteria established in said section 2 of said  
175 chapter 121F; provided, that not less than 25 per cent shall be used to fund projects which  
176 preserve and produce housing for families and individuals with incomes of not more than 30 per  
177 cent of the area median income, as defined by the United States Department of Housing and  
178 Urban Development; provided further, that if the department of housing and community  
179 development has not spent the amount authorized under the bond cap for this program, at the end  
180 of each year following the effective date of this act, the department may award the remaining  
181 funds to projects that serve households earning more than 30 per cent of the area median income,  
182 as defined by the United States Department of Housing and Urban Development; provided  
183 further, that not less than \$5,000,000 shall be expended for the production or preservation of  
184 housing for people age 60 and over; provided further, that the department may expend an amount  
185 not to exceed \$10,000,000 to stabilize and promote reinvestment, through homeownership, in  
186 areas the department has determined to be weak markets as indicated by a high concentration of  
187 assisted rental housing, a low rate of homeownership, low median family income, low average  
188 sales prices, high levels of unpaid property taxes or vacant or abandoned buildings, by waiving  
189 the requirements of this item and said chapter 121F, and by subsidizing the purchase price,  
190 borrowing costs or costs of renovation or new construction of 1 to 6 unit residential buildings for  
191 a person who shall own the property and occupy any portion of the property as the person's  
192 primary residence for at least 5 years from the date of purchase; provided further, that if more  
193 than 5 years, but less than 10 years, from the date the owner takes ownership of the property, the  
194 owner sells any of the owner's interest in the property, the new owner shall so occupy 1 unit in

195 the property for a period equal to the difference between 10 years and the amount of time the  
196 first owner occupied the property as the owner's primary residence; provided further, that if the  
197 owner fails to so occupy a unit on the property or ceases to be the owner of the property as  
198 required by this section, the department shall recoup the value of any subsidy provided to the  
199 owner; and provided further, that 10 years after the owner takes possession of the property  
200 pursuant to this item, all restrictions on the property created by this item shall be void.....  
201 \$135,000,000.

202 7004-0044. For the purpose of state financial assistance in the form of grants for projects  
203 undertaken pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided,  
204 that contracts entered into by the department of housing and community development for those  
205 projects may include, but shall not be limited to, projects providing for renovation, remodeling,  
206 reconstruction, redevelopment and hazardous material abatement, including asbestos and lead  
207 paint, and for compliance with state codes and laws and for adaptations necessary for compliance  
208 with the Americans with Disabilities Act, the provision of day care facilities, learning centers  
209 and teen service centers and the adaptation of units for families and persons with disabilities;  
210 provided further, that priority shall be given to projects undertaken for the purpose of compliance  
211 with state codes and laws or for other purposes related to the health and safety of residents;  
212 provided further, that funds may be expended from this item to make such modifications to  
213 congregate housing units as may be necessary to increase the occupancy rate of those units;  
214 provided further, that the department shall continue to fund a program to provide predictable  
215 funds to be used flexibly by housing authorities for capital improvements to extend the useful  
216 life of state-assisted public housing; and provided further, that not less than 25 per cent of the  
217 funds made available in this item shall be used to fund projects which preserve or produce

218 housing for families and individuals with incomes of not more than 30 per cent of the area  
219 median income, as defined by the United States Department of Housing and Urban Development  
220 ..... \$500,000,000

221 7004-0045. For the purpose of state financial assistance in the form of grants for a 5 year  
222 demonstration program, administered by the department of housing and community development  
223 to demonstrate cost effective revitalization methods for state-aided family and elderly-disabled  
224 public housing that seek to reduce the need for future state modernization funding; provided, that  
225 housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of  
226 1948, chapter 667 of the acts of 1954 or chapter 705 of the acts of 1966 shall be eligible to  
227 participate in demonstration program; provided further, that the department shall establish a 7-  
228 member advisory committee, to consist of the director of the department or a designee, 1  
229 member selected by Citizens' Housing and Planning Association, 1 member selected by the  
230 Massachusetts chapter of the National Association of Housing and Redevelopment Officials, 1  
231 member selected by the Massachusetts Union of Public Housing Tenants and 3 additional  
232 members chosen by the department to provide advice and recommendations to the department  
233 regarding regulations to implement the demonstration program; provided further, that the  
234 department may exempt a recipient of demonstration grants from the requirements of chapter 7  
235 of the General Laws and chapter 121B of the General Laws upon a showing by the recipient that  
236 such exemptions are necessary to accomplish the effective revitalization of public housing and  
237 will not adversely affect public housing residents or applicants of any income who are otherwise  
238 eligible; provided further, that the department may provide to recipients of demonstration grants  
239 such additional regulatory relief as is required to further the objectives of the demonstration  
240 program; provided further, that funds shall be made available for technical assistance provided

241 by the Community Economic Development Assistance Corporation established in chapter 40H  
242 of the General Laws or the Massachusetts Housing Partnership Fund established pursuant to  
243 section 35 of chapter 405 of the acts of 1985 to recipients of demonstration grants and for  
244 evaluation of the demonstration; provided further, that the department shall promulgate  
245 regulations for the implementation, administration and enforcement of this item within 90 days  
246 after the effective date of this act; provided, however, that the regulations shall: (i) require that  
247 housing authorities selected demonstrate innovative and replicable solutions to the management,  
248 marketing or capital needs of state-aided family and elderly-disabled public housing  
249 developments and contribute to the continued viability of the housing as a resource for public  
250 housing eligible residents; (ii) encourage proposals that demonstrate regional collaborations  
251 among housing authorities; and (iii) encourage proposals that propose new affordable housing  
252 units on municipally-owned land, underutilized public housing sites or other land owned by the  
253 housing authority; and provided further, that the department shall report to the house and senate  
254 committees on ways and means, the house and senate committees on bonding, capital  
255 expenditures and state assets and the joint committee on housing on the progress of the  
256 demonstration program within 90 days after promulgation of the regulations and annually  
257 thereafter..... \$50,000,000

258 7004-0046. For the purpose of state financial assistance in the form of grants or loans for  
259 the Housing Innovations Trust Fund established in section 2 of chapter 121E of the General  
260 Laws; provided, that not less than 25 per cent of the funds made available in this item shall be  
261 used to fund projects which preserve and produce housing for families and individuals with  
262 incomes of not more than 30 per cent of the area median income, as defined by the United States  
263 Department of Housing and Urban Development..... \$80,000,000



285           3000-0400.. For the purpose of state financial assistance in the form of grants for the  
286 Early Education and Out of School Time Capital Fund for the development of eligible facilities  
287 for licensed early care and education and out of school time programs established in section 3 of  
288 chapter 121H of the General Laws; provided, that the department of early education and care  
289 may contract with 1 or more quasi-public or non-profit entities to administer the program,  
290 including, but not limited to, the Community Economic Development Assistance Corporation  
291 established in chapter 40H of the General Laws; provided further, that the department may  
292 develop or finance eligible facilities, may enter into subcontracts with nonprofit organizations  
293 established pursuant to chapter 180 of the General Laws or organizations in which such nonprofit  
294 corporations have a controlling financial or managerial interest; provided further, that the  
295 department shall: (i) consider a balanced geographic plan for such eligible facilities when issuing  
296 the funding commitments; and (ii) consider funding large group and school age child care  
297 centers, as defined by the department of early education and care; provided further, that the  
298 services made available pursuant to such grants shall not be construed as a right or entitlement  
299 for any individual or class of persons to the benefits financing; provided further, that no  
300 expenditure shall be made from this item without the prior approval of the secretary of  
301 administration and finance; and provided further, that eligibility shall be established by  
302 regulations promulgated by the department pursuant to chapter 30A for the General Laws for the  
303 implementation, administration and enforcement of this item..... \$45,000,000

304           SECTION 3. Subsection (a) of section 63 of chapter 23A of the General Laws, as  
305 appearing in the 2012 Official Edition, is hereby amended by striking out, in line 20, the words  
306 “.25 miles” and inserting in place thereof the following words:- .5 miles.

307 SECTION 4. Section 20 of chapter 40B of the General Laws, as so appearing, is hereby  
308 amended by inserting after the word “organization”, in line 9, the following words:- , or any  
309 housing that the department of housing and community development has agreed to consider low  
310 or moderate income housing.

311 SECTION 5. Section 3 of chapter 121D of the General laws, as appearing in the 2012  
312 Official Edition, is hereby amended by adding the following subsection:-

313 (e) Funds provided for the fund may be used to write down interest rates and related costs  
314 for a program for low-income and moderate-income first-time homebuyers administered by the  
315 board of directors of the Massachusetts Housing Partnership Fund established pursuant to section  
316 35 of chapter 405 of the acts of 1985.

317 SECTION 6. Section 1 of chapter 121E of the General Laws, as so appearing, is hereby  
318 amended by striking out, in lines 3 and 4, the words “housing for the homeless; battered  
319 women’s shelters” and inserting in place thereof the following words:- or permanent housing for  
320 the homeless; shelters for victims of domestic abuse.

321 SECTION 7. Subsection (b) of section 3 of said chapter 121E, as so appearing, is hereby  
322 amended by striking out clause (2).

323 SECTION 8. Said section 3 of said chapter 121E, as so appearing, is hereby further  
324 amended by striking out, in lines 42 to 49, inclusive, the words “unless, at the end of a fiscal  
325 year, cash collections from all sources in connection with the housing, except for contributions,  
326 donations or grant moneys, exceed 105 per cent of cash expenditures on behalf of the housing,  
327 including debt service, operating expenses, operating revenues and capital reserves; provided  
328 further, that any excess cash shall be paid to the commonwealth within 45 days after the end of

329 the fiscal year, payable first to interest due under this section and then to principal advanced  
330 pursuant to the loan”.

331 SECTION 9. Subsection (b) of said section 3 of said chapter 121E, as so appearing, is  
332 hereby further amended by striking out, in lines 62 to 71, inclusive, the words “; and (7) for  
333 projects developed pursuant to this chapter not refinanced during the term of a loan issued  
334 pursuant to this chapter unless the balance of the principal and interest for the prior loan is repaid  
335 in full at the time of the refinancing; provided, however, that housing projects may be refinanced  
336 if the refinancing would result in a reduction of costs paid by the commonwealth; provided  
337 further, that a refinanced loan shall be due and payable not later than the date on which the prior  
338 loan was due and payable, except in accordance with clause (4) or when necessary to effect  
339 extraordinary repairs or maintenance to be approved by the department”.

340 SECTION 10. Section 3 of chapter 121F of the General Laws, as so appearing, is hereby  
341 amended by inserting after the word “preservation”, in line 37, the following words:- , new  
342 construction.

343 SECTION 11. Said section 3 of said chapter 121F, as so appearing, is hereby further  
344 amended by inserting after the figure “(6)”, in line 87, the following words:- notwithstanding the  
345 restrictions in this chapter,.

346 SECTION 12. Subsection (b) of said section 3 of said chapter 121F, as so appearing, is  
347 hereby further amended by striking out clause (7) and inserting in place thereof the following  
348 clause:- (7) notwithstanding the restrictions in this chapter, to write down interest rates and  
349 related costs for a program for low-income and moderate-income first-time homebuyers



350 administered by the board of directors of the Massachusetts Housing Partnership Fund  
351 established pursuant to section 35 of chapter 405 of the acts of 1985.

352 SECTION 13. The General Laws are hereby amended by inserting after chapter 121G the  
353 following chapter:-

354 CHAPTER 121H

355 Early Education and Out of School Time Capital Fund

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

358 “Department”, the department of early education and care.

359 "Eligible facility", a building, structure or site that is, or will be, owned, leased or  
360 otherwise used by 1 or more eligible organizations and licensed by the department; provided,  
361 that at least 25 per cent of the slots in the facility shall serve low-income families who are  
362 eligible for public subsidy; provided further, that leased facilities shall have a lease term that is  
363 consistent with the scale of the capital investment, but shall not be less than 15 years; and  
364 provided, further, that municipally-owned buildings shall be eligible provided that there is  
365 dedicated single purpose space for licensed early education or out of school time programs.

366 “Eligible organization”, a non-profit corporation that is exempt from income taxation  
367 under chapter 180, or an organization in which a non-profit corporation has a controlling  
368 financial or managerial interest.

369 “Eligible project”, the acquisition, design, construction, repair, renovation, recovery from  
370 a natural or man-made disaster, rehabilitation or other capital improvement or deferred  
371 maintenance of an eligible facility.

372 "Grant", a direct grant of capital funds to an applicant for payment of the costs of an  
373 eligible project.

374 Section 2. Each recipient of a grant from the Early Education and Out of School Time  
375 Capital Fund established in section 3 shall be an eligible project that demonstrates: (i) need for  
376 such a project; (ii) project benefits to low-income children and the affected community; (iii)  
377 financial need for assistance in the form of such grant; and (iv) local support for the project.  
378 Preference may be given to projects that have suffered partial or complete damage to an eligible  
379 facility from a natural or man-made disaster.

380 Section 3. There shall be within the department a separate fund to be known as the Early  
381 Education and Out of School Time Capital Fund. The department shall administer the fund for  
382 the purpose of making grants for the development of eligible facilities for licensed early care and  
383 education and out of school time programs; provided, however that the department may contract  
384 with 1 or more quasi-public or non-profit entities to administer the program, including, but not  
385 limited to, the Community Economic Development Assistance Corporation established in  
386 chapter 40H of the General Laws.

387 SECTION 14. Section 100 of chapter 142 of the acts of 2011 is hereby amended by  
388 striking out the figure “2015” and inserting in place thereof the following figure:- 2020.

389 SECTION 15. Section 2 of chapter 18 of the acts of 2013 is hereby amended by striking  
390 out the item number "6122-1223" and inserting in place thereof the following item number:-  
391 6122-1323.

392 SECTION 16. The department of housing and community development shall promulgate  
393 regulations specifying that for units previously marketed in the absence of an affordable fair  
394 housing marketing plan, all affordable housing units shall be eligible for inclusion on the  
395 subsidized housing inventory as soon as an affordable fair housing marketing plan is in place and  
396 upon a showing that occupants meet the income limitations set forth by 760 CMR 56.02 and that  
397 the occupants are substantially similar to occupants that would have been selected had an  
398 affordable fair housing marketing plan been in place.

399 SECTION 16A. Notwithstanding section 20 of chapter 40B of the General Laws, or any  
400 general or special law to the contrary, if an application before a board of zoning appeals would  
401 result in the commencement of construction of 50 or more units of low or moderate income  
402 housing in an area entirely within a single town designated as a tax increment financing zone  
403 under section 59 of chapter 40 of the General Laws, for which a tax increment financing  
404 agreement has been executed by town meeting and is in effect on the effective date of this act,  
405 then the requirements or regulations shall be considered consistent with local needs for the  
406 purposes of said section 20 of said chapter 40B.

407 SECTION 16B. Notwithstanding any general or special law to the contrary, the  
408 department of housing and community development shall consider housing to be low or  
409 moderate income housing under section 20 of chapter 40B of the General Laws if, on or before

410 July 1, 2007, the department had agreed to consider that housing to be low or moderate income  
411 housing.

412 SECTION 16C. The department of housing and community development shall determine  
413 and report the costs and benefits of limiting alien eligibility for state assisted public housing to  
414 individuals qualifying under the terms and conditions of 42 U.S.C. § 1436a. The report shall  
415 include, but not be limited to: (i) the estimated number of documented aliens currently eligible  
416 for state assisted public housing that will be denied housing under the terms and conditions of 42  
417 U.S.C. § 1436a, including, but not limited to, aliens documented under a temporary protected  
418 status; (ii) the costs to other state programs as a result of implementing the limitation on state  
419 assisted public housing eligibility; and (iii) the costs to the department and to the office of the  
420 attorney general of adjudicating appeals, grievances and defending legal challenges of decisions  
421 based upon the immigration status of applicants. The department shall submit its report to the  
422 chairs of the house and senate committees on ways and means and the chairs of the joint  
423 committee on housing not later than October 31, 2013.

424 SECTION 17. Notwithstanding any general or special law to the contrary, the secretary  
425 of housing and economic development and the secretary of administration and finance shall  
426 jointly submit a report on the progress of all projects and expenditures related to the funds  
427 available in this act or any outstanding authorizations from a prior authorization act for housing  
428 projects that were undertaken by the executive office of housing and economic development or  
429 any of its constituent agencies to the house and senate committees on ways and means, the house  
430 and senate committees on bonding, capital expenditures and state assets and the joint committee  
431 on housing. This report shall include, but not be limited to: the address, the nature of the work  
432 and scope of work of each project funded in this act; the total amount allocated for each project

433 broken down by fiscal year in which the allocation occurred and the total estimated cost of each  
434 project; the amount expended for the planning and design of each project up to the time the  
435 report is filed; the amount expended on construction of each project up to the time the report is  
436 filed; the total amount currently expended on each project; a schedule of life cycle standards for  
437 each completed project; the original estimated completion date of each project; the current  
438 anticipated completion date of each project; and, if the project has been de-authorized, the reason  
439 for and date of de-authorization. The information required in this report shall be current as of 30  
440 days before the submission of the report and the report shall be submitted bi-annually for 6 years  
441 after the effective date of this act.

442           SECTION 18. Notwithstanding any general or special law to the contrary, to meet the  
443 expenditures necessary in carrying out section 2, the state treasurer shall, upon receipt of a  
444 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified  
445 by the governor from time to time but not exceeding, in the aggregate, \$1,400,000,000. All  
446 bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Housing  
447 Production, Preservation, Modification and Neighborhood Development Loan Act of 2013, and  
448 shall be issued for a maximum term of years, not exceeding 30 years, as the governor may  
449 recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the  
450 Constitution; provided, however, that all such bonds shall be payable not later than June 30,  
451 2048. All interest and payments on account of principal on such obligations shall be payable  
452 from the General Fund. Bonds and interest thereon issued under the authority of this section  
453 shall, notwithstanding any other provision of this act, be general obligations of the  
454 commonwealth. An amount not to exceed 2 per cent of the authorizations may be expended by  
455 the department of housing and community development for administrative costs directly

456 attributable to the purposes of this act, including costs of clerical and support personnel. The  
457 director of the department of housing and community development shall file an annual spending  
458 plan with the fiscal affairs division, the house and senate committees on ways and means, the  
459 house and senate committees on bonding, capital expenditures and states assets and the joint  
460 committee on housing, which details, by subsidiary, all personnel costs and any administrative  
461 costs charged to expenditures made under this act.

462           SECTION 19. Notwithstanding any general or special law to the contrary, within 120  
463 days after the expiration of affordability restrictions on housing units assisted under items 7004-  
464 0040 and 7004-0041 of section 2, the department of housing and community development or its  
465 assignee, who shall be a qualified developer selected pursuant to the terms of said items 7004-  
466 0040 and 7004-0041 of said section 2 under the guidelines of the department, shall have an  
467 option to purchase any such housing units at their current appraised value, reduced by any  
468 remaining obligation of the owner, upon the expiration of the affordability restrictions. The  
469 department or its assignee shall only purchase or acquire such housing units to preserve or  
470 provide affordable housing. The department or its assignee shall hold such purchase option for  
471 the first 120 days after the expiration of the affordability restrictions. Failure to exercise the  
472 purchase option within 120 days after the expiration of the affordability restriction shall  
473 constitute a waiver of the purchase option by the department or its assignee. Within 30 days after  
474 the expiration of an affordability restriction, the owner and the department shall each designate a  
475 professional in the field of multi-unit residential housing. Each of those professionals shall  
476 select an impartial appraiser. Within 60 days after the expiration of the affordability restriction,  
477 the 2 impartial appraisers shall determine the current appraised value in accordance with  
478 recognized professional standards. If there is a difference in the valuations, the valuations shall be

479 added together and divided by 2 to determine the current appraised value of the units. No sale,  
480 transfer or other disposition of the property shall be completed until either the purchase option  
481 period expires or the owner has been notified, in writing, by the department or its assignee that  
482 the option will not be exercised. The option shall be exercised only by written notice signed by a  
483 designated representative of the department or its assignee, mailed to the owner by certified mail  
484 at the address specified in the notice of intention and recorded with the registry of deeds or the  
485 registry district of the land court of the county in which the affected real property is located,  
486 within the option period. If the purchase option has been assigned to a qualified developer  
487 selected pursuant to said items 7004-0040 and 7004-0041 of said section 2, the written notice  
488 shall state the name and address of the developer and the terms and conditions of the assignment.

489         Before any sale or transfer or other disposition of housing that the department has not  
490 previously exercised an option to purchase, an owner shall offer the department or its assignee,  
491 who shall be a qualified developer selected pursuant to said items 7004-0040 and 7004-0041 of  
492 said section 2, a first refusal option to meet a bona fide offer to purchase the units. The owner  
493 shall provide to the department or its assignee written notice by regular and certified mail, return  
494 receipt requested, of the owner's intention to sell, transfer or otherwise dispose of the property.  
495 The department or its assignee shall hold the first refusal option for the first 120 days after  
496 receipt of the owner's written notice of intent to transfer the property. Failure to respond to the  
497 written notice of intent to sell, transfer or otherwise dispose of the property within the 120 day  
498 period shall constitute a waiver of the right of first refusal by the department. No sale, transfer or  
499 other disposition of the property shall be completed until either this first refusal option period has  
500 expired or the owner has been notified in writing by the department or its assignee that the option  
501 will not be exercised. The option shall be exercised only by written notice signed by a designated

502 representative of the department or its assignee, mailed to the owner by certified mail at the  
503 address specified in the notice of intention and recorded with the registry of deeds or the registry  
504 district of the land court of the county in which the affected real property is located, within the  
505 option period. If the first refusal option has been assigned to a qualified developer selected  
506 pursuant to said items 7004-0040 and 7004-0041 of section 2, the written notice shall state the  
507 name and address of the developer and the terms and conditions of the assignment.

508           An affidavit before a notary public that the notice of intent was mailed on behalf of an  
509 owner shall conclusively establish the manner and time of the giving of notice to sell, transfer or  
510 otherwise dispose of the property. The affidavit and notice that the option shall not be exercised  
511 shall be recorded with the registry of deeds or the registry district of the land court of the county  
512 in which the affected real property is located. Each notice of intention, notice of exercise of the  
513 purchase option or first refusal option and notice that the purchase option or first refusal option  
514 shall not be exercised shall contain the name of the recorded owner of the property and a  
515 reasonable description of the premises to be sold or converted. Each affidavit signed before a  
516 notary public shall have attached to it a copy of the notice of intention to which it relates. The  
517 notices of intention shall be mailed to the relevant parties in the care of the keeper of records for  
518 the party in question. Upon notifying the owner in writing of its intention to exercise its purchase  
519 option or first refusal option during the 120 day period, the department or its assignee shall have  
520 an additional 120 days, beginning on the date the purchase option period or first refusal option  
521 period expires, to purchase the units. Those time periods may be extended by mutual agreement  
522 between the department or its assignee and the owner of the property. Any extension agreed  
523 upon shall be recorded in the registry of deeds or the registry district of the land court of the  
524 county in which the affected real property is located. Within a reasonable time after requesting



525 an extension, the owner shall make available to the department or its assignee any information  
526 that is reasonably necessary for the department to exercise its option.

527 SECTION 20. Notwithstanding any general or special law to the contrary, not later than  
528 October 1, 2013, the director of housing and community development shall submit to the  
529 secretary of administration and finance, the house and senate committees on ways and means, the  
530 joint committee on housing and the house and senate committees on bonding, capital  
531 expenditures and state assets a capital plan for fiscal year 2014 for capital funds authorized in  
532 section 2.

533 SECTION 21. Notwithstanding any general or special law to the contrary, not later than  
534 July 1, 2014, and annually thereafter, the director of housing and community development shall  
535 submit to the secretary of administration and finance, the house and senate committees on ways  
536 and means, the joint committee on housing and the house and senate committees on bonding,  
537 capital expenditures and state assets a capital plan for fiscal years 2015 to 2018, inclusive, for the  
538 capital funds authorized in section 2.

539 SECTION 22. Notwithstanding any general or special law to the contrary, a private entity  
540 engaged in a construction, development, renovation, remodeling, reconstruction, rehabilitation or  
541 redevelopment project receiving funds pursuant to this act shall properly classify individuals  
542 employed on the project and shall comply with all laws concerning workers' compensation  
543 insurance coverage, unemployment insurance, social security taxes and income taxes with  
544 respect to all such employees. All construction contractors engaged by an entity on any such  
545 project shall furnish documentation to the appointing authority showing that all employees

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

548           SECTION 23. Notwithstanding any general or special law to the contrary, the  
549 unexpended and unencumbered balances of the bond-funded authorizations in the following  
550 accounts shall cease to be available for expenditure 90 days after the effective date of this act:  
551 4000-8200, 3722-8891, 3722-8892, 3722-8896, 3722-8871, 3722-8872, 4000-7998, 4000-8201,  
552 4000-8202, 7004-0021, 7004-0022, 7004-0028, 7004-0029, 7004-0030, 7004-0031, 7004-0032,  
553 7004-0036, 7004-0037, 7004-0038, 7004-6666, 7004-7011, 7004-7013, 7004-7014, 7004-7015,  
554 7004-7016, 7004-7017, 7004-7018, 7004-8984, 7004-8985, 7004-9982.

555           SECTION 24. This act shall take effect upon its passage.