



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

AN ACT TO PRESERVE AND ADVANCE MASSACHUSETTS' COMPETITIVENESS IN DISCOVERY, RESEARCH, AND INNOVATION FOR A VIBRANT ECONOMY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enhance the competitiveness and resilience of the Massachusetts economy, improve the health of Massachusetts residents and our health care system, to preserve and advance scientific research, talent development, and to retain jobs and employment opportunities within the Commonwealth, protect our economic engines, and encourage the benefits that science and technology bring to the health and general welfare of our state, each of which is immediately necessary to accomplish important public purposes, 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:

SECTION 1. To provide for supplementing certain items in the general appropriations act and other appropriation acts for fiscal year 2026, the sums set forth in section 2 are hereby appropriated from the Education and Transportation Innovation and Capital Fund established in section 2DDDDDD of chapter 29 of the General Laws, unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriations acts and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2026. All appropriations in said section 2 shall not be subject to section 5D of chapter 29 of the General Laws. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. These sums shall be made available through the fiscal year ending June 30, 2028.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

1596-7066 For a bridge funding reserve to support public institutions of higher education in the commonwealth to enable them to adapt to federal funding uncertainty, loss or diminishment of federal research funding, and to encourage advancement of scientific research, enhance employment opportunities and talent development, and to enable participation in partnerships and joint ventures related to research and innovation; provided, that the funds shall be

administered by the executive office for administration and finance in consultation with the executive office of education, executive office of labor and workforce development and the executive office of economic development; provided, further, that up to \$80,000,000 may be used as flexible funding support for public institutions of higher education in the commonwealth to fund direct and indirect costs of research, to retain talent and preserve the pace of scientific discovery in the commonwealth; provided, further, that up to \$40,000,000 may be used as a talent retention and extension reserve to fund positions in research and teaching, including graduate, post doctorate and other early career research professionals that would otherwise be unfunded due to reductions in federal indirect rates, to build a bridge to future funding levels and sources; provided, further, that up to \$30,000,000 may be used to fund research opportunities, partnerships and joint ventures to support research activity, employment, and advance innovation and opportunity in the commonwealth, including considerations of regional impact and geographic equity, including but not limited to opportunities related to advanced manufacturing and technology, agricultural science and technology, bioengineering and life sciences, civil engineering and advanced construction materials, climate and environmental science, ecology, education and child development, electronics, energy, fisheries and wildlife science and management, forestry science and management, marine science and technology, medical science and technology, meteorology and atmospheric science, nursing science, public health and applied health sciences, and robotics\$200,000,000

SECTION 3. Section 1 of chapter 23G of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the definition of “Improvement” the following definition:-

“Independent research institution”, a nonprofit research organization that holds tax-exempt status granted under section 501(c)(3) of the Internal Revenue Code, or is otherwise recognized as a tax-exempt charitable organization by the department of revenue and shall be organized and operated exclusively for scientific or educational purposes; provided, however, that “independent research institution” shall not mean a hospital, college, university or private foundation.

SECTION 4. Said chapter 23G of the General Laws, as so appearing, is hereby amended by inserting after section 47 the following sections:-

Section 48. (a) There shall be within the agency a Research Resilience Fund, to which shall be credited appropriations or other monies authorized by the general court and specifically designated to be credited to the fund, such additional funds as are subject to the direction and control of the agency, grants or loans or private investment capital which may properly be applied in furtherance of the objectives of the fund, proceeds from the sale of qualified investments secured or held by the fund, fees and charges imposed relative to the making of qualified investments, as defined and approved under rules approved by the review board created in section 49 for the fund, secured or held by the fund and other monies which may be available to the agency or the review board for the purposes of the fund from another source or sources. The agency shall hold the fund in an account or accounts separate from other funds or accounts and shall manage the fund on behalf of the review board, under rules and policies established by the review board.

(b) The agency, on behalf of the review board, shall invest and reinvest the fund and the income of the fund as follows:

- (1) in the making of qualified investments, under rules approved by the review board;
- (2) in defraying the ordinary and necessary expenses of administration and operation associated with the fund and the administration and operation of the review board established under section 49;
- (3) in the investment of funds not required for immediate disbursement in the purchase of such securities as may be lawful investments for fiduciaries in the commonwealth;
- (4) for the payment of principal or interest on qualified investments secured by the fund or the payment of a redemption premium required to be paid when such qualified investments are redeemed prior to maturity; provided, however, that monies in the fund shall not be withdrawn at any time in such an amount as would reduce the amount of the fund to less than the minimum requirement established jointly by the agency and review board, except for the purpose of paying binding obligations associated with qualified investments which are secured by the fund as the obligations become payable.

(c) The fund shall be held and applied by the agency, on behalf of the review board, to make qualified investments designed to advance the following public purposes:

- (1) to provide financial assistance to universities, colleges hospitals and independent research institutions undertaking research that has been subject to elimination or reduction in federal funding from the National Science Foundation, National Institute of Health or the National Oceanic and Atmospheric Administration;
- (2) to stimulate increased funding for high impact research operations conducted at Massachusetts hospitals, universities and independent research institutions by leveraging private funding for and institutional resources for research operations located in the commonwealth, which will lead to increased and more rewarding employment opportunities for Massachusetts residents and will enhance economic growth by supporting science and technology research, innovation, discovery and education in the commonwealth;
- (3) to make matching grants for research projects sponsored by and located within Massachusetts universities, colleges, public instrumentalities, hospitals, and independent research institutions, to fund scientific research activities and operations in the commonwealth, so as to increase and strengthen the employment and training opportunities for scientific researchers in the commonwealth, maintain the pace of scientific discovery and innovation, and support the economic development and employment opportunities related to the commonwealth's research and innovation ecosystem;
- (4) to provide bridge financing to Massachusetts universities, colleges, public instrumentalities, hospitals, and independent research institutions in anticipation of the receipt of grants of the type described in clause (3), philanthropic funds, and grants awarded or to be awarded by the federal government, industry or other sources;
- (5) to make grants to the Massachusetts Life Sciences Center, established by chapter 23I, to fund activities that facilitate the transfer of technology from the commonwealth's research

institutions to the commonwealth's life sciences, pharmaceutical, biotechnology, medical device, and health therapeutical industries, for productive use by such industries and to improve employment opportunities, sustain economic growth, and enhance the life sciences innovation ecosystem in the commonwealth;

(6) to provide for a talent retention and development fund to award 1-year fellowships to graduate, post doctorate and other early career research professionals residing in Massachusetts, which can be used for direct research and educational expenses not to exceed \$100,000 per individual; and

(7) to provide matching grants in the field of marine sciences and marine science technology for universities, colleges, and independent research institutions within the commonwealth.

(d) The agency shall make no such qualified investment under this section unless the review board finds that, to the extent possible, said qualified investment is such that a definite benefit to the economy of the commonwealth and material benefit to employment in a research enterprise in the commonwealth for no less than 12 months may reasonably be expected as a result. In addition, the agency shall make no such qualified investment under this section unless such qualified investment complies with rules approved by the review board. The rules approved by the review board shall provide for the following:

(1) repayment in whole or in part of any grants, loans, or other qualified investments under this section if the recipient of funds fails to meet job retention or hiring targets or other covenants in the agreement related to use of funds and outcomes;

(2) define which entities shall be eligible for funding for purposes of this section; provided, however, that only entities domiciled or chartered within the commonwealth shall be eligible; provided, however, that eligible entities shall include any public colleges and universities established in the commonwealth under chapter 73 or chapter 75, nonprofit hospitals in the commonwealth licensed by the department of public health under chapter 111, nonprofit universities and colleges under chapter 180 with their primary campus located in the commonwealth, independent research institutions established in the commonwealth that perform scientific research with significant employment and economic impact in the commonwealth, which the review board has classified as eligible;

(3) define eligibility requirements and other terms and conditions for fellowships awarded through the talent retention and development fund under clause (c)(5);

(4) set the terms and conditions for investments which are to constitute qualified investments, which may include, without limitation, loans, working capital and contract based loans, guarantees, equity investments, grants made under subsection (c), or other financing or credit enhancing devices, as made by the agency directly or on its own behalf or in conjunction with other public instrumentalities or private institutions;

(5) define the minimum balance requirement of the fund, which shall be no less than \$1,000,000 or the total amount of outstanding obligations of the fund, whichever is greater;

(6) define the maximum aggregate amount of grants made under subsection (c) to any single researcher or group of researchers currently employed by any single university, college, public instrumentality, hospital, or independent research institution eligible for funding;

(7) set forth the terms, procedures, standards and conditions which the review board shall employ to identify qualified applications, process applications, make grant determinations and investments, safeguard the fund, advance the objectives of increasing employment opportunities and preserving research-related employment and economic growth in the commonwealth, secure the participation of other public instrumentalities, private institutions and other funding sources; and

(8) set forth the terms, procedures, standards and conditions which the review board shall employ with respect to certain qualified investments, provided, however, that said rules shall provide that each recipient of a qualified investment other than a grant or fellowship under paragraph (c) shall be required to pay a fee as a condition of such receipt, which fee may take the form of points, an interest rate premium or a contribution of warrants or other form of equity or consideration to the fund as prescribed by the review board; and provided, further, that said rules shall provide for negotiated agreements between the agency and each recipient of a qualified investment regarding the terms and conditions by which the fund's support of a recipient could be reduced or withdrawn.

(e) The agency may solicit investments by private institutions or investors in the activities of the fund and may reach agreements with such private institutions or investors regarding the terms of such investments including, without limitation, the rights of such investors to participate in the income or appropriation of the fund. To help secure investments by private institutions or investors in the activities of the fund, the review board may develop a proposal relative to the creation of a separate investment entity or alternative structure which would allow for the commingling of the resources of the fund with the maximum participation by such private institutions or investors in a manner which is consistent with the public purpose of the fund and under terms and conditions calculated to protect and preserve the assets of the fund; provided, however, that if the creation or operation of such a separate entity or alternative structure as proposed by the review board would require additional or clarifying amendments to this chapter, said proposal shall include proposed statutory language.

(f) An annual report on the fund, including amounts granted and invested, recipients of funding, and remaining fund balance, copies of the approved rules and any modifications to the rules shall be submitted to the chairs of the house and senate committees on ways and means, the joint committee on economic development and emerging technologies, the joint committee on health care financing, and the joint committee on higher education, and the clerks of the house of representatives and the senate no later than March 1, 2026 and annually thereafter by March 1.

(g) Qualified investment transactions undertaken by the agency on behalf of the review board under this section shall not, except as specified in this section, be subject to chapter 175, and shall be payable solely from the fund and shall not constitute a debt or pledge of the faith and credit of the commonwealth, the agency or any subdivision of the commonwealth.

(h) The agency, on behalf of the review board, shall not make an expenditure from or commitment of the assets of the fund, including, without limitation, the making of grants or qualified investments secured by the fund, if such expenditure would reduce the amount of the

fund below the minimum requirement established by law; provided, that at no time shall the minimum requirement of the fund be less than the maximum amount of principal and interest becoming due in the current and succeeding fiscal year of the agency on all outstanding obligations which are secured by the fund or such greater amount as may be set forth in the rules governing the fund.

Section 49. (a) There shall be a review board to be known as the Research Opportunity Review Board, with authority to direct the expenditure of monies from the Research Resilience Fund established in section 48 of this chapter, which shall consist of the director of the agency, who will act as secretary and will be a non-voting member of the review board, the director of the Massachusetts Life Sciences Center, 6 persons to be appointed by the governor, 1 of whom shall have knowledge of higher education leadership at a major research university, 1 of whom shall have knowledge of health care at a research or teaching hospital, 1 of whom shall have knowledge of the life sciences industry, 1 of whom shall have knowledge of philanthropy related to health care and higher education, 1 of whom shall have knowledge of scientific research at an independent research institution including career pathways for scientific researchers in Massachusetts, and 1 of whom shall have knowledge of technology transfer and commercialization activities at research institutions, 1 person to be appointed by the speaker of the house of representatives with knowledge of scientific and academic research, and 1 person to be appointed by the senate president with knowledge of scientific and academic research; provided, however, that the director of the Massachusetts Life Sciences Center may designate another person to act in such member's place for a particular purpose, including the right to attend and vote at a meeting of the review board.

Each appointed member of the review board shall serve for a term of 2 years, until such member's successor is appointed, or until the balance of the Research Resilience Fund reaches its minimum required level, whichever occurs first. A person appointed to fill a vacancy on the review board shall be appointed in a like manner and shall serve for the remaining term of the vacating member, or until the balance of the Research Resilience Fund reaches its minimum required level, whichever occurs first. A member of the review board appointed by the governor may be removed by the governor for cause. The governor may dissolve the board under this section when the balance of the Research Resilience Fund reaches its minimum required level.

(b) The governor shall appoint the initial chairperson and vice chairperson of the review board with a term of two years. Thereafter, the members shall annually elect a chairperson and vice chairperson and shall adopt by-laws governing the affairs of the review board. Five members of the review board shall constitute a quorum and the affirmative vote of a majority of the members present and eligible to vote at a meeting shall be necessary for an action to be taken by the review board; provided, however, that no vacancy in the membership of the review board shall impair the right of a quorum to exercise the powers of the review board.

(c) The members shall serve without compensation, but each member shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties as approved by majority vote of the review board.

(d) The review board may meet as often as the members shall decide; provided, however, that it shall meet at least once in each calendar quarter and its approval shall be necessary for an expenditure from, or commitment of, the assets of the fund or entry into contracts of the type specified in subsection (h).

(e) The review board shall make awards from the Research Resilience Fund to eligible recipients for high impact research opportunities in Massachusetts, considering the following factors:

(1) amount of resources to be leveraged, including funding from private philanthropic, industry, finance, and institutional sources, and other resources including in-kind contributions leveraged or matched with the award to be funded from the Research Resilience Fund;

(2) amount of jobs including direct and indirect employment that will be retained or added in Massachusetts hospitals, universities, colleges, and independent research institutions with the award to be funded from the Research Resilience Fund and other funding leveraged under clause (1);

(3) potential for scientific advancement due to the research to be funded with the award from the Research Resilience Fund and other funding leveraged under clause (1), with an emphasis on research with a strong potential for near-term commercialization of an innovation or technology that is likely to support the creation of new jobs in the commonwealth;

(4) potential for benefit to the public or public health due to the research to be funded with the award from the Research Resilience Fund and other funding leveraged under clause (1);

(5) potential benefit to the science, technology and innovation ecosystem in Massachusetts and potential for future economic growth in Massachusetts due to the research to be funded with the award from the Research Resilience Fund and other funding leveraged under clause (1);

(6) potential benefit to the talent pipeline and the retention of graduate students, post doctoral students, and other early-career research professionals in Massachusetts due to the research to be funded with the award from the Research Resilience Fund and other funding leveraged under clause (1);

(7) potential benefit to vulnerable populations of the research to be funded with the award from the Research Resilience Fund and other funding leveraged under clause (1); and

(8) impact and amount of funding withdrawn, reduced, delayed, or terminated by the National Institutes of Health, National Science Foundation, and National Oceanic and Atmospheric Administration for the research to be funded with the award from the Research Resilience Fund and other funding leveraged under clause (1).

(f) The review board may, by majority vote, elect, in its discretion, to delegate some or all of the committee's powers to the board or the staff of the agency; provided, that, any such delegation may be revoked at any time by majority vote of the review board.

(g) The agency shall manage the qualified investments made from the fund on behalf of the review board including, without limitation, the closing, servicing, monitoring, underwriting and where appropriate, the enforcement of rights with respect to such management and shall provide such staff and supporting assistance as deemed appropriate by the board of directors of the agency to enable the review board to discharge its duties in a manner consistent with its

public purpose. Subsection (d), subsections (f) to (i), inclusive and subsection (l) of section 2 of this chapter shall also apply to the members and affairs of the review board.

(h) The review board and the agency may award 1 or more contracts with regard to the management of the fund, which may provide performance-based incentives, with regard to such management.

SECTION 5. Subsection (a) of section 2EEEEEE of chapter 29 of the General Laws, as inserted by chapter 214 of the acts of 2024, is hereby amended by inserting after the word “Matching” the following words:- , Fiscal Resilience.

SECTION 6. Subsection (d) of section 2EEEEEE, as so appearing, is hereby amended by striking out the words “and (iii)” and inserting in place thereof the following words:-

(iii) protecting the commonwealth from the elimination, reduction, or material delay of federal funds upon a determination by the secretary that the elimination, reduction, or material delay of such federal funds would materially impact public health, safety or welfare, or the fiscal stability of the commonwealth or any of its political subdivisions, in accordance with guidance issued by the executive office for administration and finance; (iv) improving the financial stability of hospitals and community health centers in the commonwealth that provide health care to low-income, uninsured or underinsured residents, including by transferring any amounts in the fund to the Health Safety Net Trust Fund, in accordance with guidance issued by the executive office for administration and finance in consultation with the executive office of health and human services; (v) funding pay-as-you-go capital for any capital project or program up to the amount otherwise authorized by the General Court for such project or program in chapter 238 of the acts of 2024, in accordance with guidance issued by the executive office for administration and finance; and (vi)

SECTION 7. Subsection (d) of said section 2EEEEEE, as so appearing, is hereby further amended by inserting after the word “Matching” the following word:- , Fiscal Resilience.

SECTION 8. Subsection (e) of said section 2EEEEEE, as so appearing, is hereby amended by inserting after the word “Matching” the following word:- , Fiscal Resilience.

SECTION 9. Section 3 of chapter 214 of the acts of 2024 is hereby amended by striking out the figure “2026” and inserting in place thereof the following figure:- 2029.

SECTION 10. Said section 3 of said chapter 214 of the acts of 2024 is hereby further amended by inserting after the word “Matching” the following word:- , Fiscal Resilience.

SECTION 11. Section 4 of said chapter 214 of the acts of 2024 is hereby further amended by inserting after the word “Matching” the following word:- , Fiscal Resilience.

SECTION 12. Said section 4 of chapter 214 of the acts of 2024 is hereby further amended by inserting after the figure “117-169” the following words:-

and funding to organizations that hold tax-exempt status granted under section 501(c)(3) of the Internal Revenue Code, or are otherwise recognized as a tax-exempt charitable organization by the department of revenue that have experienced elimination, reduction, disruption or delay of

federal funding, for purposes of protecting jobs, improving employment, and promoting opportunities, the economic vitality and the public health of the commonwealth.

SECTION 13. Said section 4 of chapter 214 of the acts of 2024 is hereby further amended by inserting after the word “finance;” the following words:-

provided further, that not more than \$200,000,000 may be transferred to the Research Resilience Fund to support scientific research in the commonwealth, including but not limited to research in health and health care, life sciences, technology, biotechnology, and other scientific research at institutions of higher education, hospitals, and independent research institutions in Massachusetts; preserve the pace of innovation and discovery, retain talent, preserve jobs and promote economic growth in Massachusetts; and leverage funding from various sources including nonprofits, institutions, industry, finance, and philanthropy; provided further, that the executive office for administration and finance may enter into any agreements and transfer any funds available under this section necessary to carry out the purposes of this clause;

SECTION 14. Section 4 of chapter 214 of the acts of 2024 is hereby further amended by striking out the figure “2026” and inserting in place thereof the following figure:- 2029.

SECTION 15. Notwithstanding any general or special law to the contrary, officers of the Massachusetts Development Finance Agency, employees within the executive office of the governor, and employees within the executive office for administration and finance may solicit gifts or grants from a charitable foundation, a private corporation, or an individual for deposit in the Research Resilience Fund or associated funds established under chapter 23G of the General Laws for purposes of section 48 of said chapter 23G.