



Commonwealth of Massachusetts
EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT
ONE ASHBURTON PLACE, ROOM 2101
BOSTON, MA 02108
<https://www.mass.gov/eoed>

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

ASHLEY STOLBA
INTERIM SECRETARY

TELEPHONE
(617) 788-3610

FACSIMILE
(617) 788-3605

NOTICE OF PROPOSED REPEAL OF REGULATION

402 CMR 2.00 Economic Development Incentive Program

Notice is hereby given pursuant to Massachusetts General Laws Chapter 30A that the Economic Assistance Coordinating Council (“EACC”) is proposing to repeal and rescind 402 CMR 2.00 entitled “Economic Development Incentive Program” (the “Regulation”).

Sections 3A to 3H of the General Laws (“EDIP Statute”) establishes the Economic Development Incentive Program (“EDIP”), administered by the EACC, to provide incentives that stimulate job creation and investment of private capital and to promote economic growth and expand economic opportunity to all areas of the commonwealth. The EDIP Statute has been amended several times since the last update to the Regulation, most recently by Chapter 238 of the acts of 2024 (the “Act”) related to the availability of tax credits and administration of EDIP.

Clause (i) of subsection (b) of section 3B of chapter 23A of the General Laws provides the EACC with discretionary authority to “promulgate regulations and adopt policies and guidances to effectuate the purposes of sections 3A to 3H...” As a result of the changes made by the Act, the Regulation is inconsistent, duplicative and unnecessary to effectuate the purposes of the EDIP Statute. Accordingly, the EACC voted on March 19, 2025 to rescind the Regulation and will hold a public comment period to accept public comments on the repeal and rescission of the Regulation.

Written comments on the EACC’s proposed rescission of 402 CMR 2.00 will be accepted from the opening of the public comment period on June 6, 2025 until 5:00PM pm June 27, 2025. Written comments should be submitted by email to Robert.McGovern@mass.gov or mailed to: Robert McGovern, Senior Deputy General Counsel, Executive Office of Economic Development, 1 Ashburton Place, Room 2101, Boston, MA 0210. A copy of 402 CMR 2.00 are available at <https://www.mass.gov/doc/402-cmr-2-economic-development-incentive-program/download>.

By the order of the Economic Assistance Coordinating Council,

A handwritten signature in black ink, appearing to read 'Ashley'.

Ashley Stolba
EACC Chair