

Chapter 2
of the Acts of 2023

T H E C O M M O N W E A L T H O F M A S S A C H U S E T T S

In the One Hundred and Ninety-Third General Court

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2023 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2023 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other 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 appropriation act and other appropriation acts for fiscal year 2023, the sums set forth in section 2 are hereby appropriated from the General Fund 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 appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2023. 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, 2023.

SECTION 2.

DISTRICT ATTORNEYS

Cape and Islands District Attorney

0340-1000 Cape and Islands District Attorney \$200,000

OFFICE OF THE COMPTROLLER

1599-3384 Judgments, Settlement and Legal Fees \$8,286,615

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE

1599-4448 Collective Bargaining Contract Costs \$4,228,650

EXECUTIVE OFFICE OF EDUCATION

Department of Early Education and Care

3000-1045 Early Education and Care Workforce C3 Stabilization
Grants \$68,000,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development

7004-0101 Emergency Assistance Family Shelters and Services \$44,938,224

7004-9316 Residential Assistance for Families in Transition \$15,692,986

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

7053-1925 School Breakfast Program \$65,000,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2023. Except as otherwise stated, these sums shall be made available through the fiscal year ending June 30, 2024.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-0924 For a reserve to address the needs of homeless families and individuals; provided, that funds may be expended to supplement school district costs associated with additional student enrollments; provided further, that any such funds distributed to a city, town or regional school district to supplement school district costs associated with additional student enrollments shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that funds in this item shall be distributed in a manner that promotes geographic equity and fairly distributes school burdens and associated funding to communities in which shelter capacity is increased; provided further, that the secretary of administration and finance may transfer

funds from this item to state agencies, as defined in section 1 of chapter 29 of the General Laws; and provided further, that the secretary shall notify the house and senate committees on ways and means of any such transfer \$40,061,776

1599-0925

For a reserve to address the needs of newly-arrived immigrants and refugees to be administered by the executive office of health and human services, in coordination with the office for refugees and immigrants and the department of housing and community development; provided, that funds shall be expended to support refugee resettlement agencies, nonprofit organizations, community-based organizations, family resource centers and local partners supporting immigrants and refugees through case management, legal screenings, benefits assistance, employment services programming and other non-housing-related supports for newly-arrived immigrants and refugees; provided further, that funds may be used for both direct assistance and administrative costs; provided further, that funds shall be made available to the executive office of health and human services for the development, in coordination with the office for refugees and immigrants and the department of housing and community development, of a new arrivals coordination plan to establish a more coordinated system to address the needs of newly-arrived immigrants and refugees including, but not limited to: (i) timely triage; (ii) social workers; (iii) medical screenings; (iv) culturally-appropriate food; (v) legal screenings and referrals; and (vi) assistance with screening and enrollment for benefits through MassHealth, the department of transitional assistance, the emergency housing assistance program under section 30 of chapter 23B of the General Laws and other state programs; provided further, that the plan shall address regional equity to ensure timely intake processes for newly-arrived immigrants and refugees; provided further, that in developing the plan, the executive office shall

collaborate with and seek input from refugee resettlement agencies, nonprofit organizations, community-based organizations and local partners; provided further, that the plan shall be developed and submitted to the house and senate committees on ways and means not later than June 30, 2023; and provided further, that the executive office of health and human services shall submit monthly reports to the house and senate committees on ways and means detailing the identified number of newly-arrived immigrants and refugees entering the commonwealth until the exhaustion of funds in this item..... \$7,000,000

1599-3068 For emergency allotments to households participating in the supplemental nutrition assistance program under the federal Food and Nutrition Act of 2008, 7 U.S.C. 2011 et seq., to address food needs and increased food costs; provided, that the emergency allotments shall be not more than 40 per cent of the amount needed to bring the monthly benefit up to the applicable maximum monthly allotment for the household size or not more than 40 per cent of \$95, whichever is greater..... \$130,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Transitional Assistance

4400-1030 For reimbursement to clients who have had their federal supplemental nutrition assistance program payments stolen through electronic benefit transfer card skimming, card cloning or other similar fraudulent electronically-based method, during the period of April 1, 2022 to September 30, 2022, inclusive; provided, that claims for such reimbursement must be verified by the department of transitional assistance and must be reported to or identified by the department not later than June 30, 2023; provided further, that reimbursements shall not exceed the lesser of the amount of benefits stolen from the household, or the amount equal to 2 months of the monthly allotment of the household immediately prior to the date on which the benefits were stolen; and provided further, that

notwithstanding the previous clause, the department may, subject to the availability of funds in this item, make additional reimbursements for stolen benefits available greater than the amount equal to 2 months of the monthly allotment of the household immediately prior to the date on which the benefits were stolen or for the period of October 1, 2022 to June 30, 2023, inclusive, to the extent that federal funds will not cover the cost of reimbursement \$2,000,000

Department of Public Health

4513-1006 For family and reproductive health services; provided, that not less than \$1,000,000 shall be expended for a public awareness campaign to educate providers and the public about crisis pregnancy centers and pregnancy resource centers and the centers' lack of medical services; provided further, that the campaign shall include information on the availability of providers across the commonwealth that provide legitimate medical and family planning services; provided further, that the campaign shall be linguistically diverse and culturally competent; and provided further, that not less than \$250,000 shall be expended for Reproductive Equity Now, Inc.'s free abortion legal hotline \$1,250,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Massachusetts Office of Travel and Tourism

7008-1119 For the Boston branch of the National Association for the Advancement of Colored People for costs related to programs to be included in its 114th national conference, including a youth summit, anti-bias training and a career summit, which shall all be open to the public and free of charge, and for costs related to community outreach to ensure residents of the city of Boston and the commonwealth have access to such programs \$2,000,000

SECTION 3. To provide for a program of housing, community development, economic opportunities, support for local governments, increased innovation and job creation, the sums set forth in sections 3 to 3B, inclusive, for the several purposes and subject to the conditions specified in this act, are

hereby made available, subject to the laws regulating the disbursement of public funds; provided, however, that the amounts specified in an item or for a particular project may be adjusted in order to facilitate projects authorized in this act. These sums shall be in addition to any amounts previously authorized and made available for these purposes.

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Office of the Secretary

7002-8041 For the Massachusetts Technology Park Corporation established in section 3 of chapter 40J of the General Laws for a matching grant program that enables academic institutions, nonprofit organizations, industry consortiums, federally-funded research and development centers and other technology-based economic development organizations to compete for federal grants in technology and innovation fields including, but not limited to: (i) artificial intelligence and machine learning; (ii) cybersecurity, data storage and data management; (iii) quantum computing and information systems; (iv) robotics and advanced automation; (v) high performance computing, semiconductors and advanced computer hardware; (vi) blockchain; (vii) supply chain; (viii) clean energy, clean energy research, energy storage, batteries and electric vehicle components, technology and infrastructure; (ix) food security; and (x) advanced materials; provided, that the matching grant program may also enable participation of these entities in associated workforce development federal grant programs; and provided further, that not more than 15 days after any competitive application is submitted for federal funds proposing the use of state matching funds from this item, the executive office of housing and economic development shall submit a summary of the application to the house and senate committees on ways and means \$125,000,000

7002-8042 To provide funds to the Massachusetts Broadband Incentive Fund established in section 6C of chapter 40J of the General Laws for capital repairs and improvements to broadband infrastructure owned by the Massachusetts

Technology Park Corporation established by section 3 of said chapter 40J \$9,300,000

7002-8043 For the Massachusetts Technology Park Corporation established in section 3 of chapter 40J of the General Laws for matching grants that support collaboration among manufacturers located in the commonwealth and institutions of higher education, nonprofit organizations and other public or quasi-public entities in the commonwealth; provided, that eligible grantees shall include private businesses; provided further, that grants shall be awarded and administered consistent with the strategic goals and priorities of the Massachusetts advanced manufacturing collaborative established in section 10B of chapter 23A of the General Laws; provided further, that grants made for the purchase of equipment to be owned by, leased to or located within the premises of a private businesses shall be made in support of a partnership with an institution of higher education or nonprofit corporation with a mission of supporting manufacturing in the commonwealth; provided further, that a private university or business entity shall not be eligible for a grant unless the Massachusetts Technology Park Corporation has made a finding that a grant to such university or entity will result in a significant public benefit and the private benefit is incidental to a legitimate public purpose; and provided further, that grants shall be awarded in a manner that promotes geographic, social, racial and economic equity \$14,000,000

7002-8047 For matching grants to support advanced manufacturing projects in partnership with institutions of higher education, including state and municipal colleges and universities, nonprofit organizations and other public or quasi-public entities; provided, that such projects shall be in alignment with a Manufacturing USA institute \$15,000,000

7002-8048 For the MassWorks infrastructure program established by section 63 of chapter 23A of the General Laws \$400,000,000

7002-8049 To enable public entities and other eligible entities within the commonwealth to provide matching funds necessary to receive federal funding for broadband infrastructure, equity, access and deployment in unserved or underserved locations and for adoption, digital equity and other eligible uses consistent with federal guidelines \$30,000,000

7002-8051 For a program to provide assistance to projects that will improve, rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the public purposes of eliminating blight, increasing housing production, supporting economic development projects, increasing the number of commercial buildings accessible to persons with disabilities and conserving natural resources through the targeted rehabilitation and reuse of vacant and underutilized property; provided, that such assistance shall take the form of a grant or a loan provided to a municipality or other public entity, a community development corporation, nonprofit entity or for-profit entity; provided further, that eligible uses of funding shall include, but not be limited to: (i) improvements and additions to or alterations of structures and other facilities necessary to comply with requirements of building codes; (ii) efforts to comply with fire or other life safety codes and regulations pertaining to accessibility for persons with disabilities; (iii) efforts to comply with code or regulatory compliance when compliance is required in connection with a new commercial residential or civic use of such structure or facility; and (iv) the targeted removal of existing underutilized structures or facilities to create or activate publicly-accessible recreational or civic spaces; provided further, that funding shall be awarded on a competitive basis in accordance with guidelines developed by the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws; provided further, that financial assistance offered pursuant to

this line item may be administered by the executive office of housing and economic development through a contract with the Massachusetts Development Finance Agency; provided further, that the executive office or the Massachusetts Development Finance Agency may establish additional program requirements through regulations or policy guidelines; provided further, that financial assistance offered pursuant to this item shall be awarded, to the extent feasible, in a manner that reflects geographic and demographic diversity and social, racial and economic equity within the commonwealth; and provided further, that program funds, not to exceed 5 per cent of the total assistance made during the fiscal year, may be used for the reasonable costs of administering the program \$34,000,000

7002-8052 For grants and technical assistance to be made to municipalities and regional applicants to support planning and locally-driven initiatives related to community development, housing production, workforce training and economic opportunity, child care and early education initiatives and climate resilience initiatives, including, but not limited to, nature-based solutions projects, that incorporate these elements, across the commonwealth within individual communities, regions or a defined subset of communities therein; provided, that funds may be expended for culturally competent and multi-lingual technical assistance and training to small businesses; provided further, that preference for these funds shall be given to businesses located in low- or moderate-income areas and owned by women, veterans, minorities or immigrants; and provided further, that grants shall be awarded in a manner that promotes geographic equity \$1,000,000

SECTION 3A.

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development

7004-8026 For the Smart Growth Housing Trust Fund established in section 35AA of chapter 10 of the General Laws \$8,000,000

SECTION 3B.

TREASURER AND RECEIVER GENERAL

0640-1006 For the Massachusetts Clean Water Trust established in section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in section 2L of chapter 29 of the General Laws for application by the trust for the purposes specified in section 5 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under Title VI of the federal Clean Water Act, Public Law 92-500, or for deposit in the Drinking Water Revolving Fund established in section 2QQ of said chapter 29 for application by the trust for the purposes specified in section 18 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under the federal Safe Drinking Water Act, Public Law 93-523; provided, that funds may be used to assist homeowners in complying with the revised Title 5 of the state environmental code for subsurface disposal of sanitary waste; and provided further, that funds may be expended for the costs of projects and programs included in the federal Infrastructure Investment and Jobs Act of 2021, Public Law No. 117-58 \$104,000,000

SECTION 4. Section 9 of chapter 6C of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out subsection (e) and inserting in place thereof the following subsection:-

(e) The director shall submit to the inspector general, for inclusion in the annual report pursuant to section 12 of chapter 12A, a report of the unit's activities for the preceding calendar year, including, but not limited to, findings referred to the inspector general for investigation. The inspector general shall submit the annual report to the joint committee on transportation not later than April 30 of each year. The secretary shall make the annual report and all such reports from previous years publicly available on the department's website.

SECTION 5. Section 72 of chapter 22C of the General Laws, as so appearing, is hereby amended by striking out subsection (e) and inserting in place thereof the following subsection:-

(e) The director shall submit to the inspector general, for inclusion in the annual report pursuant to section 12 of chapter 12A, a report of the unit's activities for the preceding calendar year, including, but not limited to, findings referred to the inspector general for investigation. The inspector general shall submit the annual report to the joint committee on public safety and homeland security not later than April 30 of each year. The department shall make the annual report and all such reports from previous years publicly available on the department's website.

SECTION 6. The first sentence of subsection (a) of section 9A of chapter 23J of the General Laws, as inserted by section 18 of chapter 179 of the acts of 2022, is hereby amended by striking out the words "separate and apart from its other funds".

SECTION 7. Said subsection (a) of said section 9A of said chapter 23J, as so inserted, is hereby further amended by striking out, in the second sentence, the word "bond".

SECTION 8. Section 3 of chapter 23N of the General Laws, as inserted by section 5 of chapter 173 of the acts of 2022, is hereby amended by striking out the definition of "Occupational license" and inserting in place thereof the following definition:-

"Occupational license", a license required to be held by the following employees of an operator when the employee performs duties directly related to the operation of sports wagering in the commonwealth in the following, or equivalent, roles: (i) general manager; (ii) assistant general manager; (iii) gaming or sports wagering manager; (iv) chief of security; (v) chief surveillance officer; (vi) chief compliance officer; (vii) principal executive officer; (viii) principal accounting officer; (ix) chief information officer; (x) chief technology officer; (xi) electronic gaming device manager; (xii) information technology manager; (xiii) software development manager; (xiv) shift supervisor of an in-person sports wagering department; or (xv) shift supervisor in the surveillance, cage or player development departments.

SECTION 9. Section 5 of said chapter 23N, as so inserted, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) The commission shall not grant an operator license until it determines that each person who has control of the applicant meets all qualifications for licensure. For the purposes of this chapter, the following shall be considered to have control of an applicant:

(i) a person who owns 10 per cent or more of a corporate applicant; provided, however, that a bank or other licensed lending institution that holds a mortgage or other lien acquired in the ordinary course of business shall not be considered to have control of an applicant;

(ii) a person who holds a beneficial or proprietary interest of 10 per cent or more of an applicant's business;

(iii) if the applicant is a corporation: (A) president; (B) chief executive officer; (C) chief operating officer; (D) chief financial officer; (E) treasurer; (F) secretary; (G) each inside director; and (H) chair of the board of directors;

(iv) if the applicant is a limited liability corporation: (A) each member; (B) each manager; and (C) any transferee of a member's interest; and

(v) if the applicant is a partnership, each partner.

SECTION 10. Paragraph (1) of subsection (c) of said section 5 of said chapter 23N, as amended by section 36 of chapter 268 of the acts of 2022, is hereby further amended by inserting after the figure "(b)" the following words:- and any applicant for an occupational license as defined in section 3.

SECTION 11. Section 8 of said chapter 23N, as inserted by section 5 of chapter 173 of the acts of 2022, is hereby amended by striking out subsection (d) and inserting in place thereof the following 2 subsections:-

(d) Upon receipt of an application for an occupational license the commission shall investigate each applicant which shall include obtaining criminal offender record information from the department of criminal justice information services and exchanging fingerprint data and criminal history with the department of state police and the United States Federal Bureau of Investigation as provided in subsection (c) of section 5.

(e) Not later than March 1 of the third calendar year following the issuance or renewal of an occupational license, an occupational license holder shall pay a nonrefundable license renewal fee of \$100 and submit a renewal application on a form established by the commission. An employer may pay the license renewal fee on behalf of the licensed employee.

SECTION 12. Subsection (a) of section 18 of said chapter 23N, as so inserted, is hereby amended by adding the following sentence:- Expenditures from the fund shall not be subject to appropriation.

SECTION 13. Said chapter 23N, as so inserted, is hereby further amended by striking out section 18, the second time it appears, and inserting in place thereof the following section:-

Section 19. There shall be established and set up on the books of the commonwealth a fund to be known as the Youth Development and Achievement Fund. The fund shall be credited any monies transferred from the Sports Wagering Fund pursuant to section 17 and all monies credited to or transferred to the fund from any other fund or source. Expenditures from the fund shall be subject to appropriation and shall be expended equally for the following purposes:

(1) For the purposes of providing financial assistance to students from the commonwealth enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing or any other approved institution furnishing a program of higher education;

(2) For the purposes of funding after-school and out-of-school activities, including, but not limited to, youth athletics and other activities that improve student health, literacy programs, English language learning programs, academic tutoring, art, theater and music programs and community service programs; and

(3) For the purposes of providing matching grants to elementary and secondary youth sports, organizations, clubs and other school groups to attend events, including, but not limited to, academic events and programs, cultural events and award ceremonies both nationally and internationally.

SECTION 14. Section 8K of chapter 26 of the General Laws, as inserted by section 22 of chapter 177 of the acts of 2022, is hereby amended by striking out the words "42 U.S.C. 18031(j)", each time they appear, and inserting in place thereof, in each instance, the following words:- 42 U.S.C. 300gg-26.

SECTION 15. Section 2LLLLL of chapter 29 of the General Laws, as amended by section 21 of chapter 126 of the acts of 2022, is hereby further amended by striking out the word "subject" and inserting in place thereof the following words:- not subject.

SECTION 16. Subsection (a) of section 22B of chapter 32A of the General Laws, as inserted by section 26 of chapter 177 of the acts of 2022, is hereby amended by striking out the words "42 U.S.C. 18031 (j)" and inserting in place thereof the following words:- 42 U.S.C. 300gg-26.

SECTION 17. Subsection (a) of section 14A of chapter 94G of the General Laws, as inserted by section 18 of chapter 180 of the acts of 2022, is hereby amended by adding the following sentence:- Expenditures from the fund shall not be subject to appropriation.

SECTION 18. Subsection (a) of section 65G of chapter 112 of the General Laws, as inserted by section 36 of chapter 177 of the acts of 2022, is hereby amended by striking out the definition of "Board of registration" and inserting in place thereof the following definition:-

"Board of registration", a board of registration: (i) serving in the department pursuant to section 9 of chapter 13; provided, however, that this shall not include the board of registration as established under section 10 of said chapter 13; (ii) serving pursuant to section 76 of said chapter 13; (iii) serving pursuant to section 80 of said chapter 13; (iv) serving pursuant to section 88 of said chapter 13; or (v) serving under the supervision of the commissioner pursuant to section 1 of this chapter.

SECTION 19. Section 7.08 of chapter 156D of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the words ", unless the corporation is a public corporation", in lines 6 and 7.

SECTION 20. Subsection (g) of section 14 of chapter 1760 of the General Laws, as added by section 70 of chapter 177 of the acts of 2022, is hereby amended by striking out the words "42 U.S.C. 18031(j)" and inserting in place thereof the following words:- 42 U.S.C. 300gg-26.

SECTION 21. Section 6A of chapter 180 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding the following 2 paragraphs:-

The board of directors may, unless otherwise provided in the articles of organization or bylaws, authorize any annual, regular or special meeting of members to be held in-person at a physical location, by means of remote communication or by a hybrid model with both a physical location and a means of remote communication. Subject to the articles of organization, bylaws, guidelines or procedures as the board of directors may adopt, members not physically present at the designated location of a meeting of the members may, by means of remote communication: (i) participate in a meeting of members; and (ii) be deemed, to the same extent as members physically present at a designated location, to be: (A) present; and (B) authorized to vote.

Pursuant to the fifth paragraph, the corporation shall implement reasonable measures to:

(i) verify that each person deemed present and authorized to vote at the meeting by means of remote communication is a member;

(ii) provide members a reasonable opportunity to participate in the meeting and vote on matters submitted to the members, including an opportunity to read or hear the proceedings of the meeting substantially concurrently with such proceedings; and

(iii) maintain a record of any vote or other action a member takes at a meeting by means of remote communication.

SECTION 22. Chapter 221 of the General Laws is hereby amended by inserting after section 46D the following section:-

Section 46E. (a) With respect to real estate closings involving the use of communication technology, as defined in section 1 of chapter 222, the following words, as used in this section, shall, unless the context clearly requires otherwise, have the following meanings:

"Closing", the consummation of a transaction between parties for the purpose of granting a mortgage or otherwise transferring title to a 1-family to 4-family residential dwelling, including the execution of documents necessary to accomplish the valid and proper transfer of title and the transfer of the consideration for the conveyance, whether done simultaneously with or subsequent to the execution of documents for the transfer of title; provided, however, that a "closing" shall not include any transaction in which the consideration for the transfer of title is evidenced solely by a home equity loan or line of credit that: (i) is secured by a mortgage on a 1-family to 4-family residential dwelling; (ii) does not involve the issuance of a lender's or mortgagee's policy of title insurance in connection with such transaction; and (iii) is to be retained by the lender and not sold on the secondary mortgage market.

"Creditor", a person or entity that holds or controls, partially, wholly, indirectly, directly or in a nominee capacity, a mortgage loan securing real property, including, but not limited to, an originator, holder, investor, assignee, successor, trust, trustee, nominee holder, Mortgage Electronic Registration Systems or mortgage servicer, including the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation; provided, however, that "creditor" shall also include any servant, employee, representative or agent of a creditor.

(b) Notwithstanding any general or special law to the contrary, no person, unless that person has been admitted as an attorney in the commonwealth and has not been disqualified from the practice of law due to

resignation, disbarment or suspension or placed on inactive status, shall (i) direct or manage a closing; or (ii) take the following actions in preparation for, or in furtherance of, a closing:

- (1) giving or furnishing legal advice as to the legal status of title;
- (2) ensuring that the seller, or the borrower-mortgagor in a mortgage refinancing transaction, is in a position to convey marketable title to the residential property at issue;
- (3) issuing a certification of title pursuant to section 70 of chapter 93;
- (4) drafting a deed to real property on behalf of another;
- (5) ensuring that the documents necessary for the transfer of title are executed and acknowledged in accordance with the laws of the commonwealth; provided, however, a non-attorney may take such action under the direction or supervision of an attorney; or
- (6) disbursing, or managing the disbursement, of consideration for the conveyance.

(c) The attorney general may initiate an action, including a petition for injunctive relief, against any person or creditor whose violation of this section is part of a pattern, or consistent with a practice, of noncompliance. The supreme judicial court and the superior court department of the trial court of the commonwealth shall have concurrent jurisdiction in equity. A person having an interest or right that is or may be adversely affected by a violation of this section may initiate an action against the person or creditor for private monetary remedies.

SECTION 23. Chapter 222 of the General Laws is hereby amended by striking out section 1, as appearing in the 2020 Official Edition, and inserting in place thereof the following section:-

Section 1. For the purposes of this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Acknowledgment", a notarial act in which an individual, at a single time appears in person before a notary public, is identified by the notary public through satisfactory evidence of identity and presents a document or electronic record to the notary public and indicates to the notary public that the signature on the document or record before the notary was voluntarily affixed by the individual for the purposes stated within the document or electronic record or that the signature on the document or electronic record was the individual's free act and deed and, if applicable,

that the individual was authorized to sign in a particular representative capacity.

"Affirmation", a notarial act, or part thereof, that is legally equivalent to an oath and in which an individual, at a single time appears in person before a notary public, is identified by the notary public through satisfactory evidence of identity and makes a vow of truthfulness or fidelity while appearing before the notary public under the penalties of perjury without invoking a deity.

"Appears in person", "appears personally" or "personally appears", (i) being in the same physical location as another individual and close enough to see, hear, communicate with and exchange tangible identification credentials with that individual; or (ii) interacting with a remotely-located individual by means of communication technology in compliance with section 28.

"Capable of independent verification", the ability to confirm the validity of an electronic notarial act, including the electronic signature and seal, through a publicly accessible system, in compliance with industry standard technology as approved by the secretary of the commonwealth.

"Communication technology", an electronic device or process that allows a notary public and a remotely-located individual to communicate with each other simultaneously by sight and sound, and when necessary and consistent with other applicable laws, facilitates communication with a remotely-located individual with a vision, hearing or speech impairment.

"Copy certification", a notarial act in which a notary public is presented with a document that the notary public copies, or that the notary supervises someone else copying, by a photographic or electronic copying process, compares the original document to the copy and determines that the copy is accurate and complete.

"Credential analysis", a process or service that meets the guidelines established by the secretary, through which a third person affirms the validity of a current government-issued identification credential by review of public or proprietary data sources.

"Credible witness", an honest, reliable and impartial person who personally knows an individual appearing before a notary and who takes an oath or affirmation before the notary to vouch for that individual's identity.

"Dynamic knowledge-based authentication", a form of identity proofing based on a set of questions that pertain to an individual and are formulated from public or proprietary data sources.

"Electronic", relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

"Electronic record", information that is created, generated, sent, communicated, received or stored by electronic means.

"Electronic signature", an electronic sound, symbol or process that is attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

"Foreign state", a jurisdiction other than the United States, a state or a federally recognized Indian tribe.

"Identity proofing", a process or service that meets the guidelines established by the secretary, by which a third party provides a notary public with a means to verify the identity of a remotely-located individual by a review of personal information from public or private data sources, which may include credential analysis, dynamic knowledge-based authentication, analysis of biometric data including, but not limited to, facial recognition, voiceprint analysis or fingerprint analysis or other means permitted by the secretary.

"Journal", a chronological record of notarial acts performed by a notary public.

"Jurat", a notarial act in which an individual, at a single time appears in person before a notary public, is identified by the notary public through satisfactory evidence of identity and: (i) presents a document or electronic record; (ii) signs the document or electronic record in the presence of the notary public; and (iii) takes an oath or affirmation before the notary public vouching for the truthfulness or accuracy of the contents of the signed document or electronic record.

"Notarial act" or "notarization", an act that a notary public is empowered to perform, including acts performed electronically in accordance with this chapter.

"Notarial certificate", the part of or attachment to a notarized document or electronic record for completion by the notary public that bears the notary public's signature and seal and states the venue, date and facts that are attested by the notary public in a particular notarial act or notarization.

"Notary public" or "notary", a person commissioned to perform official acts pursuant to Article IV of the Amendments of the Constitution.

"Notarial seal", (i) a physical image or impression affixed, stamped or embossed on a tangible record; or (ii) an electronic image attached to, or logically associated with, an electronic record.

"Oath", a notarial act, or part thereof, that is legally equivalent to an affirmation and in which an individual, at a single time, appears in person before a notary public, is identified by the notary public through satisfactory evidence of identity and takes a vow of truthfulness or fidelity under the penalties of perjury by invoking a deity.

"Official misconduct", a violation of sections 13 to 24, inclusive, or any other general or special law in connection with a notarial act or a notary public's performance of an official act in a manner found to be grossly negligent or against the public interest.

"Personal knowledge of identity", familiarity with an individual resulting from interactions with that individual over a period of time sufficient to ensure beyond doubt that the individual is the person whose identity is claimed.

"Principal", a person whose signature is notarized or a person taking an oath or affirmation before a notary public.

"Record", information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

"Regular place of work or business", a place where an individual spends a substantial portion of their working or business hours.

"Remotely-located individual", an individual who is not in the physical presence of the notary public who performs a notarial act pursuant to section 28.

"Satisfactory evidence of identity", identification of an individual based on: (i) at least 1 current document issued by a United States or state government agency bearing the photographic image of the individual's face and signature; (ii) the oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the individual; or (iii) identification of an individual based on the notary public's personal knowledge of the identity of the principal; provided, however, that for a person who is not a United States citizen, "satisfactory evidence of identity" shall mean identification of an individual based on a valid passport or other government-issued document evidencing the individual's nationality or residence and which bears a photographic image of the individual's face and signature. For purposes of a

notarial act performed using communication technology for a remotely-located individual, "satisfactory evidence of identity" shall be determined pursuant to section 28.

"State secretary", the secretary of the commonwealth.

"Signature witnessing", a notarial act in which an individual, at a single time, appears in person before a notary public, is identified by the notary public through satisfactory evidence of identity and presents a document or electronic record and signs the document or electronic record in the presence of the notary public.

"Tamper-evident", the use of a set of applications, programs, hardware, software or other technologies that will display evidence of any changes to an electronic record.

"Tangible journal", a journal created on a fixed tangible medium in a permanent bound register with numbered pages.

"United States", a location within the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands and any territory, insular possession or other location subject to the jurisdiction of the United States.

SECTION 24. Section 1A of said chapter 222, as so appearing, is hereby amended by striking out, in line 6, the figure "26" and inserting in place thereof the following figure:- 29.

SECTION 25. Section 8 of said chapter 222, as so appearing, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) (1) A notary public shall keep an official notarial seal that shall be the exclusive property of the notary public. A notary public shall not permit another to use such notarial seal. A notary public shall obtain a new seal upon renewal of the commission, upon receipt of a new commission or if the name of the notary public has changed. The notarial seal shall include: (i) the notary public's name exactly as indicated on the commission; (ii) the words "notary public" and "Commonwealth of Massachusetts" or "Massachusetts"; (iii) the expiration date of the commission in the following words: "My commission expires ____"; and (iv) a facsimile of the seal of the commonwealth.

(2) If a notarial seal that requires ink is employed, black ink shall be used. The seal of a notary public may be a digital image that appears in the likeness or representation of a traditional physical notary public seal. Only the notary public whose name and registration number appear on an electronic

seal shall affix said seal. If the seal is electronically generated, it shall include the words "Electronically affixed". The requirements of this subsection shall be satisfied by using a seal that includes all of the information required by this section.

(3) A notary public shall attach or logically associate the notary public's electronic signature and electronic seal to an electronic record that is the subject of a notarial act by use of the digital certificate in a matter that is capable of independent verification and renders any subsequent change or modification to the electronic document tamper evident.

SECTION 26. Section 16 of said chapter 222, as so appearing, is hereby amended by inserting after the word "notarization", in line 3, the following words:- , except as specifically provided in this chapter.

SECTION 27. Said section 16 of said chapter 222, as so appearing, is hereby further amended by inserting after the word "services", in line 27, the following words:- ; provided further, that a notary public shall not be precluded from receiving a technology services fee that has been clearly disclosed in advance to the person requesting the service and that technology services fee reflects the actual reasonable cost to the notary public of utilizing a third-party technology service provider; provided further, that the state secretary may set reasonable limits on such technology services fee.

SECTION 28. Section 18 of said chapter 222, as so appearing, is hereby amended by adding the following subsection:-

(e)(1) Whenever the state secretary has cause to believe that a notary public registered pursuant to section 28 has engaged in any conduct, practice or procedure that the state secretary determines is contrary to section 46E of chapter 221, the state secretary may revoke the notary public's ability to perform notarial acts, or order the notary public to comply with the law. The state secretary may adopt regulations governing administrative proceedings under this section.

(2) The attorney general may enforce an order issued by the state secretary pursuant to this section by civil action as provided in said section 46E of said chapter 221.

(3) The remedies provided by this section shall not limit the availability of judicial remedies to any person or official.

SECTION 29. Subsection (a) of section 22 of said chapter 222, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following 3 sentences:- A journal may be

created on a fixed tangible medium or in an electronic format. If the journal is maintained on a tangible medium, it shall be a permanent, bound register with numbered pages. If the journal is maintained in an electronic format, it shall be in a permanent, tamper-evident electronic format complying with the rules of the state secretary, including rules concerning the regular transfer of electronic journal entries to the secretary.

SECTION 30. Said section 22 of said chapter 222, as so appearing, is hereby further amended by striking out, in lines 6 and 7, the words "active journal at the same time" and inserting in place thereof the following words:- tangible journal at any time. A notary may keep more than 1 electronic journal; provided, however, that each electronic journal shall conform to the requirements of subsection (a).

SECTION 31. Clause (v) of subsection (c) of said section 22 of said chapter 222, as so appearing, is hereby amended by striking out subclauses (3) and (4) and inserting in place thereof the following 3 subclauses:- (3) a notation indicating whether the notarial act was conducted in person or remotely; (4) the fee, if any, charged for the notarial act, including whether a technology services fee was charged and the amount of the technology services fee; and (5) the address where the notarization was performed; provided, however, that if the notarial act was performed remotely, the notary shall include the address of the notary and each principal and witness.

SECTION 32. Said section 22 of said chapter 222, as so appearing, is hereby further amended by striking out subsection (i) and inserting in place thereof the following subsection:-

(i) If not in use, a journal shall be kept under the exclusive control of the notary public or a third-party technology service provider designated by the notary public; provided, however, that there is a mutual agreement by both the notary public and the third-party service provider; and provided further, that a journal shall not be used by any other notary public or surrendered to an employer upon termination of employment.

SECTION 33. Said chapter 222 is hereby further amended by adding the following 3 sections:-

Section 27. (a) A notary public may select 1 or more tamper-evident technologies to perform notarial acts with respect to electronic records. A person shall not require a notary public to perform a notarial act with respect to an electronic record with a technology that the notary public has not selected. Any technology approved by the state secretary pursuant to

subsection (h) of section 28 and selected by a notary public shall require the notary public's electronic signature and electronic seal to be:

- (i) unique to the notary public;
- (ii) capable of independent verification;
- (iii) retained under the sole control of the notary public; and
- (iv) attached to or logically associated with the electronic record in a tamper-evident manner.

(b) A tangible copy of an electronic record shall be accepted as the equivalent of an original document for purposes of recording said copy; provided, however, that: (i) the copy contains a notarial certificate that satisfies all requirements for an original document to be accepted for recording; (ii) the copy satisfies all requirements for recording an original document set forth in chapters 183 and 185, as applicable; and (iii) the notary public executing the notarial certificate certifies that the tangible copy is an accurate copy of the electronic record.

Section 28. (a) A notary public physically located in the commonwealth may perform a notarial act using communication technology for a remotely-located individual who is the principal in a notarial act if the notary public:

(i) (A) has personal knowledge of the identity of the remotely-located individual; (B) has identified the remotely-located individual by means of an oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the remotely-located individual; or (C) can reasonably identify the remotely-located individual by not less than 2 different types of identity proofing processes or services;

(ii) is able to execute the notarial act in a single, real-time session;

(iii) is reasonably able to confirm that a record before the notary public is the same record in which the remotely-located individual made a statement or on which the remotely-located individual executed a signature; and

(iv) the notary public, or a person acting on behalf of the notary public, creates an audio-visual recording of the performance of the notarial act.

(b) A notary public physically located in the commonwealth may perform a notarial act using communication technology for a remotely-located individual who is the principal in a notarial act and is located outside the United States if the: (i) record: (A) is to be filed with or relates to a matter

before a public official or court, governmental entity or other entity subject to the jurisdiction of the United States; or (B) involves property located in the territorial jurisdiction of the United States or a transaction substantially connected with the United States; and (ii) act of making the statement or signing the record is not prohibited by the foreign state in which the remotely-located individual is located.

(c) A notary public shall not use communication technology to notarize a record related to the electoral process, or a will, codicil or document purporting to be a will or codicil.

(d) Before a notary public performs the notary public's initial notarization using communication technology, the notary public shall: (i) register as a remote notary with the state secretary; (ii) inform the state secretary that the notary public intends to perform remote notarizations; and (iii) identify the communication technology that the notary public will use. The communication technology shall conform to the requirements of this chapter and any rules adopted by the state secretary. The notice shall be submitted in the form prescribed by the state secretary and shall: (A) include an affirmation that the notary public has read and will comply with this section and all rules adopted by the state secretary; (B) be accompanied by proof that the notary public has successfully completed any training that may be required by the state secretary; and (C) identify a usual place of business in the commonwealth or, if a foreign entity, identify a registered agent, and in either case identify an address for service of process in connection with a civil action or other proceeding.

(e) If a notarial act is performed pursuant to this section, the certificate of notarial act required by section 15 shall indicate that the notarial act was performed remotely using communication technology and identify the venue for the notarial act as the county within the commonwealth where the notary public was physically located while performing the notarial act.

(f) A notary public, a guardian, conservator or agent of a notary public or a personal representative of a deceased notary public shall retain the audio-visual recording created under clause (iv) of subsection (a) or cause the recording to be retained by a repository designated by or on behalf of the person required to retain the recording. The recording shall be retained for 10 years after the recording is made.

(g) Upon request, the notary public shall make available electronic copies of the pertinent entries in the electronic journal and provide access

to any related audio-video communication recording to the following persons: (i) the parties to an electronic record notarized by the notary public; (ii) the title insurer reviewing an insured transaction in the context of an audit of its agent, if the agent conducted the electronic notarial act as an element of the insured transaction; and (iii) any other persons pursuant to a subpoena, court order, law enforcement investigation or other lawful inspection demand.

(h) The state secretary shall establish standards, in conformity with national standards, for the use of communication technology and identity proofing by notaries public commissioned by the commonwealth. The state secretary shall create and maintain a registry of communication technology service providers who meet the established standards as certified by the communication technology service provider. A notary public who uses communication technology shall utilize communication technology and identity proofing from communication technology service providers included on the state secretary's registry.

(i) The state secretary shall assess on each communication technology service provider approved by the secretary an annual fee to be proportioned equally among registered providers. The annual fee shall not exceed, in the aggregate, the actual and reasonable costs incurred by the state secretary for administering the requirements imposed under this section. The costs may include acquiring additional software and other such costs and expenses as determined by the state secretary as reasonable and necessary to meet such requirements. The annual fee shall not be greater than \$500,000, in the aggregate.

(j) The secretary shall adopt rules regarding performance of the notarial act that: (i) prescribe the means of performing a notarial act involving a remotely-located individual using communication technology; (ii) establish standards for identity proofing by means of credential analysis using 1 or more commercially available automated software or hardware processes that, consistent with sound commercial practices: (A) aid the notary public in verifying the authenticity of the credential by analyzing the integrity of visual, physical or cryptographic security features to indicate that the credential is not fraudulent or inappropriately modified; and (B) use information held or published by the issuing source or authoritative source to confirm the validity of credential details; provided, however, that the results of the credential analysis process shall be provided to the notary public performing the notarial act; and (iii) provide

for the use of audio-video communication technology that: (A) allows the signal transmission to be reasonably secure from interception, access or viewing by anyone other than the participants communicating; (B) provides sufficient audio clarity and video resolution to enable the notary to communicate with the remotely-located individual and any witness and to confirm the identity of the remotely-located individual and any witness, as required, using identity proofing; and (C) meets tamper-evident technological requirements by the use of additional technology that renders any subsequent change or modification to the electronic record evident.

(k) By allowing its communication technology or identity proofing to facilitate a notarial act for a remotely-located individual or by providing storage of the audio-visual recording created under clause (iv) of subsection (a), the provider of the communication technology, identity proofing or storage shall appoint the state secretary as the provider's agent for service of process in any civil action in the commonwealth related to the notarial act.

(l) With respect to notarial acts conducted during a closing, as defined in section 46E of chapter 221, the communication technology shall be engaged by the closing attorney with the approval of the lender. Upon successful verification of the identity of the remotely-located individual by the notary as required by clause (i) of subsection (a), such attorney, or the attorney directing or managing the closing who is directly supervising a non-attorney notary public, shall enter and affirm the attorney's board of bar overseers registration number prior to the conduct of the first notarial act. The communication technology shall record such information in a manner that is logically associated with the transaction and shall retain such information for the same length of time and in the same manner as it retains all other information regarding the notarial act.

(m) In addition to any coverage it elects to provide for individual notaries public, a communication technology service provider shall provide maintenance of errors and omissions insurance coverage in a total amount of not less than \$250,000 in the annual aggregate with respect to potential errors or omissions in or relating to the technology or processes provided by the communication technology service provider. A notary public shall not be responsible for the security of the systems used by the remotely-located individual or others to access the notarization session.

(n) Prior to a notary public's initial notarization using communication technology, the state secretary may require the notary public to complete a

course, either in-person or online, addressing the duties, obligations and technology requirements for conducting remote notarizations offered by the state secretary or a vendor approved by the state secretary; provided, however, that if such course is required the course's duration shall not exceed 3 hours. Each such provider of communication technology shall make the in-person or online course generally available to all applicants. Regardless of membership in the provider's organization, the provider shall charge each attendee the same cost for the course unless the course is provided in conjunction with a regularly scheduled meeting of the provider's membership.

(o) Notwithstanding any general or special law to the contrary, with respect to any document executed in the course of a closing, as defined in section 46E of chapter 221, involving a mortgage or other conveyance of title to residential real property, only a notary public appointed pursuant to this chapter who is an attorney licensed to practice law in the commonwealth, or a non-attorney who is under the direct supervision of, or acting pursuant to a direct request by, the attorney directing or managing the closing, shall perform an acknowledgment, affirmation or other notarial act utilizing communication technology. The notarial certificate affixed to any such document shall recite the board of bar overseers registration number of the attorney notary, or of the supervising attorney for a document notarized by a non-attorney.

(p) The chief justice of the land court department may promulgate rules, orders, guidelines and directives to implement this section and section 27 as said sections pertain to the execution, acknowledgment and registration of documents affecting title to land whose title has been registered and confirmed by the land court department pursuant to chapter 185.

Section 29. A notary public shall not use, sell or offer to sell to another person or transfer to another person for use or sale any personal information obtained under section 28 that identifies a remotely-located individual, a witness to a remote notarization or a person named in a record presented for remote notarization, except: (i) as necessary to facilitate performance of a notarial act; (ii) to effect, administer, enforce, service or process a record provided by or on behalf of the individual or the transaction of which the record is a part; (iii) in accordance with said section 28, including the rules adopted pursuant thereto; or (iv) in accordance with other applicable federal or state law, or to comply with a lawful subpoena or court order.

SECTION 34. Item 7008-1116 of section 2 of chapter 41 of the acts of 2019, as most recently amended by section 119 of chapter 126 of the acts of 2022, is hereby further amended by striking out the figure "2023" and inserting in place thereof the following figure:- 2024.

SECTION 35. Said item 7008-1116 of said section 2 of said chapter 41, as most recently amended by section 120 of said chapter 126, is hereby further amended by striking out the figure "2023" and inserting in place thereof the following figure:- 2024.

SECTION 36. Section 13 of chapter 53 of the acts of 2020, as most recently amended by section 15 of chapter 42 of the acts of 2022, is hereby further amended by striking out the words "April 1, 2023" and inserting in place thereof the following words:- April 1, 2024.

SECTION 37. Subsection (b) of section 2 of chapter 118 of the acts of 2020, as most recently amended by section 19 of chapter 42 of the acts of 2022, is hereby further amended by striking out the words "April 1, 2023" and inserting in place thereof the following words:- April 1, 2024.

SECTION 38. Section 19 of chapter 20 of the acts of 2021, as amended by section 27 of chapter 42 of the acts of 2022, is hereby further amended by striking out the words "April 1, 2023", each time they appear, and inserting in place thereof, in each instance, the following words:- April 1, 2024.

SECTION 39. Section 23 of said chapter 20, as most recently amended by section 3 of chapter 107 of the acts of 2022, is hereby further amended by striking out the words "the termination of the declaration that an emergency exists which is detrimental to the public health declared by the governor on May 28, 2021 or until March 31, 2023, whichever is sooner" and inserting in place thereof the following words:- March 31, 2024.

SECTION 40. Section 30A of said chapter 20, as amended by section 4 of said chapter 107, is hereby further amended by striking out the words "March 31, 2023" and inserting in place thereof the following words:- March 31, 2025.

SECTION 41. Said chapter 20 is hereby further amended by striking out section 31A, inserted by section 31 of chapter 42 of the acts of 2022, and inserting in place thereof the following section:-

Section 31A. Section 27A shall take effect March 31, 2024.

SECTION 42. Subsection (a) of section 132 of chapter 24 of the acts of 2021 is hereby amended by striking out the words "2 members of the house of representatives, 1 of whom shall be appointed by the house minority leader; 2 members of the senate" and inserting in place thereof the following words:- 3

members of the house of representatives, 1 of whom shall be appointed by the house minority leader; 3 members of the senate.

SECTION 43. Section 21 of chapter 76 of the acts of 2021 is hereby amended by striking out the words "December 31, 2021", each time they appear, and inserting in place thereof, in each instance, the following words:- June 30, 2023.

SECTION 44. Section 22 of said chapter 76 is hereby amended by striking out the words "December 31, 2021", both times they appear, and inserting in place thereof, in each instance, the following words:- April 30, 2023.

SECTION 45. Item 1599-2051 of section 2A of chapter 102 of the acts of 2021 is hereby amended by striking out the words "December 31, 2022" and inserting in place thereof the following words:- June 30, 2023.

SECTION 46. Section 89 of said chapter 102 is hereby amended by striking out the words "December 31, 2022", inserted by section 11 of chapter 22 of the acts of 2022, each time they appear, and inserting in place thereof, in each instance, the following words:- November 15, 2023.

SECTION 47. The first paragraph of subsection (a) of section 26 of chapter 22 of the acts of 2022 is hereby amended by inserting after the first sentence the following 2 sentences:- For the purposes of this section, "remote participation" shall mean participation that is: (i) fully remote in which only remote participation is authorized; or (ii) hybrid in which both in-person participation and remote participation are authorized. Any request submitted by a town moderator for a remote town meeting under this section shall state if the proposed remote participation will be fully remote or hybrid.

SECTION 48. Chapter 22 of the acts of 2022 is hereby amended by striking out section 41 and inserting in place thereof the following section:-

SECTION 41. Sections 12, 24 and 27 are hereby repealed.

SECTION 49. Said chapter 22 is hereby further amended by inserting after section 41 the following 2 sections:-

SECTION 41A. Sections 15 and 26 are hereby repealed.

SECTION 41B. Section 25 is hereby repealed.

SECTION 50. Said chapter 22 is hereby further amended by inserting after section 44 the following 2 sections:-

SECTION 44A. Section 41B shall take effect on March 31, 2024.

SECTION 44B. Section 41A shall take effect on March 31, 2025.

SECTION 51. Subsection (d) of section 2 of chapter 76 of the acts of 2022 is hereby amended by striking out the words "March 1, 2023" and inserting in place thereof the following words:- December 31, 2023.

SECTION 52. Paragraph (3) of subsection (b) of section 1 of chapter 77 of the acts of 2022 is hereby amended by striking out the words "June 1, 2022" and inserting in place thereof the following words:- June 1, 2023.

SECTION 53. Item 7004-0101 of section 2 of chapter 126 of the acts of 2022 is hereby amended by adding the following words:- provided further, that the department of housing and community development shall coordinate with the division of medical assistance and the department of transitional assistance to verify the eligibility of families applying for entry into the emergency shelter system; and provided further, that the department of housing and community development shall report to the house and senate committees on ways and means monthly: (i) the number of migrant families presenting to field offices; (ii) number of individual persons presenting to field offices; (iii) hours at which said persons and families are presenting at field offices; (iv) the number of persons turned away from said field offices; (v) the length and duration of an intake visit before an individual is moved to a placement, temporary or otherwise; and (vi) which agency, if any, including, but not limited to, the department of transitional assistance and the division of medical assistance, assisted in each intake.

SECTION 54. Item 7004-0108 of said section 2 of said chapter 126 is hereby amended by striking out the word "annually" and inserting in place thereof the following words:- annually; and provided further, that the secretary of housing and economic development may transfer funds between items 7004-0108 and 7004-0101; and provided further, that the secretary of housing and economic development shall notify the house and senate committees on ways and means not less than 14 days in advance of any such transfer.

SECTION 55. Item 7010-1192 of said section 2 of said chapter 126 is hereby amended by striking out the words "improvements at the Wildwood school" and inserting in place thereof the following words:- school improvements.

SECTION 56. Subsection (b) of section 165 of said chapter 126 is hereby amended by striking out the words "April 15, 2023" and inserting in place thereof the following words:- September 30, 2023.

SECTION 57. Section 168 of said chapter 126 is hereby amended by striking out the words "March 31, 2023r" and inserting in place thereof the following words:- December 31, 2023.

SECTION 58. Subsection (h) of section 60 of chapter 176 of the acts of 2022 is hereby amended by striking out the words "March 31, 2023" and inserting in place thereof the following words:- June 30, 2023.

SECTION 59. Section 87 of chapter 177 of the acts of 2022 is hereby amended by striking out the figure "23" and inserting in place thereof the following figure:- 32.

SECTION 60. Item 1599-6063 of section 2A of chapter 268 of the acts of 2022 is hereby amended by striking out the words "provided further, that not less than \$150,000 shall be expended for improvements to Charlesgate Park in Boston" and inserting in place thereof the following words:- provided further, that not less than \$150,000 shall be expended to the Charlesgate Alliance for the purpose of making improvements to Charlesgate park in Boston.

SECTION 61. Item 1599-6077 of said section 2A of said chapter 268 is hereby amended by striking out the words "provided further, that not less than \$50,000 shall be expended for the Fenway Cares Mutual Aid Initiative, including administrative costs, to distribute fresh food and personal protective equipment to food-insecure residents in Boston" and inserting in place thereof the following words:- provided further, that not less than \$50,000 shall be expended to Fenway Civic Association for the purpose of funding the Fenway Cares Mutual Aid Initiative, including administrative costs, to distribute fresh food and personal protective equipment to food-insecure residents of the Fenway neighborhood in the city of Boston.

SECTION 62. Item 1599-6088 of said section 2A of said chapter 268 is hereby amended by striking out the words "provided further, that not less than \$150,000 shall be expended for the department of elementary and secondary education to aid in the disbursement of federal funds for the Local Food for Schools Program" and inserting in place thereof the following words:- provided further, that not less than \$150,000 shall be expended to Massachusetts Farm to School for the disbursement of federal funds for the Local Food for Schools Program.

SECTION 63. Item 1599-6089 of said section 2A of said chapter 268 is hereby amended by striking out the words "provided, that if the Boston Landmarks Commission designates the Nazzaro Community Center as a historical building then not less than \$25,000,000 shall be expended for Boston Centers & Families within the city of Boston for the construction of a new community center within the North End section of Boston and not less than \$5,000,000 of said \$25,000,000 shall be expended for the rehabilitation of Nazzaro

Community Center in the North End section of Boston for the future use by a non-profit" and inserting in place thereof the following words:- provided, that not less than \$20,000,000 shall be expended for Boston Centers for Youth & Families in the city of Boston for the construction of a new community center in the North End section of the city of Boston; provided further, that not less than \$5,000,000 shall be expended for the rehabilitation of the Nazzaro Community Center in the North End section of the city of Boston for the future use by a non-profit, if the Boston Landmarks Commission designates said Nazzaro Community Center as a historical building.

SECTION 64. Item 1599-6090 of said section 2A of said chapter 268 is hereby amended by striking out the words "provided further, that not less than \$150,000 shall be a expended for the establishment of regional transportation shuttle service between the town of Great Barrington and Wassaic station in the town of Amenia, New York; provided further, that not less than \$100,000 shall be expended for Housatonic river water remediation efforts in the town of Great Barrington" and inserting in place thereof the following words:- provided further, that not less than \$250,000 shall be expended for Housatonic river water remediation efforts in the town of Great Barrington.

SECTION 65. Item 4403-2001 of said section 2A of said chapter 268 is hereby amended by striking out the words "for not more than 12 consecutive months".

SECTION 66. Notwithstanding section 25 of chapter 111C of the General Laws or any other general or special law to the contrary, when a class I, II or V ambulance transports a patient receiving care at the paramedic level of advanced life support, ambulance staffing shall satisfy minimum required staffing standards; provided, however, that the ambulance shall be staffed with at least 1 emergency medical technician who is at a minimum shall be certified at the paramedic level, and 1 first responder, as defined in 105 CMR 171.000, who shall drive the ambulance; provided, however, that "first responder" shall not include lifeguards.

SECTION 67. Notwithstanding section 7 of chapter 94C of the General Laws or any other general or special law to the contrary, and consistent with the commissioner of public health's COVID-19 Public Health Emergency Order No. 2022-20 issued on November 14, 2022, unlicensed staff of a community program that participates in the department of public health's medication administration program may possess and administer prepackaged medications to individuals in such programs without first obtaining medication

administration program certification. Such possession and administration shall comply with guidance issued by the department.

SECTION 68. Notwithstanding section 53 of chapter 111 of the General Laws or any other general or special law to the contrary, and consistent with the commissioner of public health's COVID-19 Public Health Emergency Order No. 2022-03 issued on January 14, 2022, out-of-hospital dialysis units licensed pursuant to section 51A of said chapter 111 shall not be required to have on site sufficient personnel to ensure a ratio of at least 1 direct patient care staff member to every 3 patients, as long as the unit has sufficient direct care staff, who are trained in dialysis care, available to meet the needs of the patients undergoing dialysis.

SECTION 69. Notwithstanding any general or special law to the contrary, the special commission established in section 76 of chapter 154 of the acts of 2018 is hereby revived and continued to April 30, 2023. The special commission shall file its findings and recommendations pursuant to said section 76 of said chapter 154 with the clerks of the senate and the house of representatives and the chairs of the senate and house committees on ways and means not later than April 30, 2023.

SECTION 70. Notwithstanding any general or special law to the contrary, the special legislative commission established in section 105 of chapter 253 of the acts of 2020 is hereby revived and continued to April 30, 2023. The special legislative commission shall file its findings and recommendations pursuant to subsection (c) of said section 105 of said chapter 253 with the clerks of the house of representatives and senate and the governor not later than April 30, 2023.

SECTION 71. Notwithstanding any general or special law to the contrary, the special legislative commission established in section 108 of chapter 253 of the acts of 2020 is hereby revived and continued to April 30, 2023. The special legislative commission shall file its findings and recommendations pursuant to subsection (d) of said section 108 of said chapter 253 with the clerks of the house of representatives and senate and the governor not later than April 30, 2023.

SECTION 72. (a) Notwithstanding any general or special law to the contrary, the special legislative commission established in section 107 of chapter 253 of the acts of 2020 is hereby revived and continued to May 31, 2024. The commission shall supplement its report dated March 30, 2022 with further recommendations, together with any draft legislation necessary to carry those recommendations into effect, by filing the same with the

governor, the speaker of the house of representatives and the president of the senate and the clerks of the house of representatives and the senate not later than May 31, 2024.

(b) Commission members shall be appointed consistent with subsection (b) of said section 107 of said chapter 253.

SECTION 73. The special legislative commission established in section 93 of chapter 358 of the acts of 2020 is hereby revived and continued to August 1, 2024. The commission shall submit its findings and recommendations pursuant to said section 93 of said chapter 358 to the clerks of the senate and house of representatives and the joint committee on community development and small business not later than August 1, 2024.

SECTION 74. Notwithstanding any general or special law to the contrary, the special commission established in section 94 of chapter 358 of the acts of 2020 is hereby revived and continued to December 31, 2024. The special commission shall file its findings and recommendations pursuant to said section 94 of said chapter 358 with the clerks of the senate and the house of representatives, the chairs of the senate and house committees on ways and means, the senate and house chairs of the joint committee on environment, natural resources and agriculture and the house and senate chairs of the joint committee on telecommunications, utilities and energy not later than December 31, 2024.

SECTION 75. Notwithstanding any general or special law to the contrary, the special legislative commission established in chapter 74 of the acts of 2021 is hereby revived and continued to December 31, 2024. The special commission shall file its findings and recommendations pursuant to said chapter 74 with the clerks of the senate and the house of representatives, the joint committee on children, families and persons with disabilities, the joint committee on housing, the joint committee on education, the joint committee on community development and small businesses, the joint committee on economic development and emerging technologies, the joint committee on public health, the joint committee on racial equity, civil rights, and inclusion and the senate and house committees on ways and means not later than December 31, 2024.

SECTION 76. Notwithstanding any general or special law to the contrary, the executive office of administration and finance shall transfer \$250,000 from the startup costs for Revolution 250 related to the planning and celebration of the commonwealth's 250th anniversary of the American Revolution established in item 1599-6077 of section 2A of chapter 268 of the

acts of 2022 to the Massachusetts Tourism Trust Fund established in section 13T of chapter 23A of the General Laws.

SECTION 77. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 3, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$628,300,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face "Commonwealth Economic Revitalization, Community Development, and Housing Act of 2023", and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 78. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 3A, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$8,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face "Commonwealth Economic Revitalization, Community Development, and Housing Act of 2023", and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 79. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 3B, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$104,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face

"Commonwealth Economic Revitalization, Community Development, and Housing Act of 2023", and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 80. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

between the Special Sheriff of Essex County and the Essex County Correctional Officers Association, Unit SE2.

SECTION 81. Not later than January 1, 2024: (i) the secretary of the commonwealth shall implement the regulations required by subsections (d), (h) and (j) of section 28 of chapter 222 of the General Laws, inserted by section 33; and (ii) the chief justice of the land court shall promulgate any rules, orders, guidelines and directives as permitted by subsection (p) of said section 28 of said chapter 222, inserted by said section 33.

SECTION 82. Sections 66, 67 and 68 are hereby repealed.

SECTION 83. Sections 19 and 21 shall take effect as of March 31, 2023.

SECTION 84. Sections 22 through 32, inclusive, shall take effect 90 days after the effective date of this act.

SECTION 85. Sections 27 to 29, inclusive, of chapter 222 of the General Laws, as added by section 33, shall take effect on January 1, 2024.

SECTION 86. Section 46 shall take effect as of December 31, 2022.

SECTION 87. Section 51 shall take effect as of March 1, 2023.

SECTION 88. Section 52 shall take effect as of June 1, 2022.

SECTION 89. Section 82 shall take effect on November 10, 2023.

House of Representatives, March 23, 2023.

Preamble adopted,

Kate Hoag, Speaker.

In Senate, March 23, 2023.

Preamble adopted,

Christopher J. Curran, President.

House of Representatives, March 23, 2023.

Bill passed to be enacted,

Kate Hg, Speaker.

In Senate, March 23, 2023.

Bill passed to be enacted,

Cynthia Sue Crum, President.

March 29, 2023.

Approved,

at *4* o'clock and _____ minutes, _____ M.

M. T. Healy
Governor.