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Section 3 Local Aid Distribution

Additional local aid information based on the Governor's FY2026 Budget for individual cities and towns is available at <https://www.mass.gov/lists/cherry-sheet-estimates>

SECTION 3.

Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2026 the distribution of Unrestricted General Government Aid to cities and towns of the balance of the State Lottery and Gaming Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional funds from the General Fund and the Gaming Local Aid Fund, shall be \$1,337,505,368 and shall be apportioned to cities and towns in accordance with this section. For fiscal year 2026 the total amounts to be distributed to each city, town, and regional school district, as calculated pursuant to chapter 70 of the General Laws and paid from item 7061-0008 of section 2 and from item 1596-2450 of Section 2F, shall be as set forth in the following lists; provided, that for purposes of calculating preliminary local contributions, municipal revenue growth factors shall be calculated in a manner consistent with calculations made in fiscal year 2025; provided further, that the effort reduction percentage shall be 100 per cent; provided further, that the minimum aid per pupil dollar amount shall be \$75; and provided further, that the total statewide target local contribution shall be 59 per cent. If there is a conflict between the language of said chapter 70 and the distribution listed below, the distribution below shall control. The specified amounts listed below shall be deemed in full satisfaction of the amounts due under said chapter 70. The department of elementary and secondary education shall not consider health care costs for retired teachers to be part of net school spending for any district in which such costs were not considered part of net school spending in fiscal year 1994 and for any district that has not accepted the provisions of section 260 of chapter 165 of the acts of 2014; provided, that any district for whom such costs are not so considered shall have included as part of net school spending an amount equal to the increase in the foundation budget for the district associated with health care costs of retired teachers. No payments to cities, towns or counties maintaining an agricultural school under this section shall be made after November 30 of the fiscal year until the commissioner of revenue certifies acceptance of the prior fiscal year's annual financial reports submitted under section 43 of chapter 44 of the General Laws. Advance payments shall be made for some or all of periodic local reimbursement or assistance programs to any city, town, regional school district, or agricultural school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and approved by the secretary of administration and finance, under guidelines established by the secretary.

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Abington	14,700,419	2,475,512
Acton	0	1,760,302
Acushnet	7,377,147	1,908,025
Adams	0	2,946,113
Agawam	27,210,280	4,635,997
Alford	0	17,661
Amesbury	9,813,604	2,448,143
Amherst	6,460,884	10,594,409
Andover	14,928,960	2,248,604
Aquinnah	0	2,941

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Arlington	19,788,143	9,547,094
Ashburnham	0	1,000,550
Ashby	0	551,016
Ashfield	93,683	233,625
Ashland	11,783,403	1,701,759
Athol	0	3,331,601
Attleboro	61,796,457	7,179,098
Auburn	15,560,489	2,155,139
Avon	4,399,731	872,199
Ayer	0	952,649
Barnstable	25,696,127	2,646,999
Barre	0	1,131,775
Becket	76,923	114,281
Bedford	6,478,309	1,444,560
Belchertown	14,582,255	2,141,171
Bellingham	10,366,082	2,135,305
Belmont	12,595,069	2,841,389
Berkley	4,270,848	765,676
Berlin	0	253,710
Bernardston	0	366,006
Beverly	15,341,720	7,348,824
Billerica	20,957,059	7,327,824
Blackstone	234,189	1,722,452
Blandford	77,586	159,788
Bolton	3,474	248,458
Boston	240,988,361	238,416,380
Bourne	5,770,975	1,844,730
Boxborough	32,909	317,433
Boxford	1,988,298	611,741
Boylston	113,472	431,046
Braintree	21,575,475	7,201,005
Brewster	1,452,660	496,875
Bridgewater	190,196	4,583,382
Brimfield	1,772,242	490,629
Brockton	282,074,317	26,348,846
Brookfield	1,951,711	621,334
Brookline	17,268,818	7,989,546
Buckland	0	385,322
Burlington	10,239,331	3,295,578
Cambridge	22,664,367	27,034,406

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Canton	9,267,189	2,698,593
Carlisle	1,490,574	276,055
Carver	10,729,418	1,838,347
Charlemont	106,868	219,968
Charlton	0	1,823,154
Chatham	0	189,388
Chelmsford	15,065,524	6,387,133
Chelsea	130,754,505	10,335,286
Cheshire	16,351	773,054
Chester	79,282	226,560
Chesterfield	133,594	173,741
Chicopee	100,241,158	14,490,934
Chilmark	0	4,721
Clarksburg	2,204,261	457,785
Clinton	21,848,135	2,962,332
Cohasset	3,227,435	647,435
Colrain	0	363,188
Concord	4,382,205	1,459,889
Conway	650,741	224,901
Cummington	59,811	104,979
Dalton	261,687	1,431,754
Danvers	9,888,875	3,584,145
Dartmouth	11,031,092	3,172,262
Dedham	9,942,538	4,115,175
Deerfield	1,205,644	604,416
Dennis	0	685,339
Devens	308,558	0
Dighton	8,253	973,050
Douglas	9,117,088	918,346
Dover	1,119,361	242,071
Dracut	27,853,564	4,409,105
Dudley	10,983	2,248,407
Dunstable	0	309,515
Duxbury	7,149,915	1,115,465
East Bridgewater	13,224,169	1,883,645
East Brookfield	221,080	364,961
East Longmeadow	15,484,836	1,821,524
Eastham	542,054	187,483
Easthampton	8,946,167	3,537,115
Easton	11,260,612	2,755,757

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Edgartown	1,240,262	83,824
Egremont	0	79,399
Erving	590,341	84,580
Essex	0	308,106
Everett	126,865,323	8,693,916
Fairhaven	9,916,833	2,837,690
Fall River	230,788,276	29,988,482
Falmouth	9,832,139	1,744,634
Fitchburg	86,211,388	10,739,130
Florida	568,962	62,635
Foxborough	9,889,132	1,874,410
Framingham	92,499,182	12,519,919
Franklin	30,089,318	3,109,467
Freetown	16,860	1,194,944
Gardner	32,375,957	5,332,570
Georgetown	5,924,657	901,483
Gill	0	306,092
Gloucester	11,936,066	5,025,941
Goshen	96,381	100,673
Gosnold	0	2,639
Grafton	13,318,028	1,967,616
Granby	4,881,625	1,111,119
Granville	139,520	201,759
Great Barrington	0	955,031
Greenfield	16,621,614	3,995,201
Groton	0	974,799
Groveland	65,470	916,023
Hadley	1,429,421	571,134
Halifax	3,608,458	1,142,332
Hamilton	0	845,476
Hampden	0	865,787
Hancock	456,706	71,049
Hanover	7,903,531	2,665,766
Hanson	40,519	1,611,488
Hardwick	0	585,846
Harvard	2,353,591	1,863,623
Harwich	0	542,054
Hatfield	948,246	392,656
Haverhill	94,219,635	12,368,097
Hawley	13,300	54,458

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Heath	0	105,290
Hingham	9,174,817	1,986,032
Hinsdale	104,923	280,193
Holbrook	12,796,989	1,856,792
Holden	14,521	2,405,977
Holland	1,041,159	253,997
Holliston	9,381,865	1,948,759
Holyoke	106,764,120	12,780,465
Hopedale	6,377,435	820,580
Hopkinton	10,548,419	988,548
Hubbardston	0	566,861
Hudson	13,867,740	2,509,400
Hull	4,127,524	2,666,890
Huntington	436,448	433,702
Ipswich	4,423,696	2,020,028
Kingston	6,045,617	1,207,873
Lakeville	101,399	1,029,658
Lancaster	11,693	1,202,895
Lanesborough	0	434,089
Lawrence	317,611,710	24,708,513
Lee	2,267,610	783,710
Leicester	11,346,367	2,184,980
Lenox	1,428,448	670,758
Leominster	72,723,191	7,202,195
Leverett	415,088	224,621
Lexington	18,832,835	1,928,604
Leyden	0	103,611
Lincoln	1,446,538	856,704
Littleton	5,139,175	894,522
Longmeadow	7,587,236	1,758,154
Lowell	261,489,114	31,696,850
Ludlow	14,855,078	3,844,285
Lunenburg	9,109,185	1,330,762
Lynn	317,126,307	28,175,185
Lynnfield	6,337,990	1,308,778
Malden	69,770,045	15,788,028
Manchester	0	279,853
Mansfield	20,091,397	2,807,011
Marblehead	6,814,879	1,433,008
Marion	1,223,002	283,944

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Marlborough	51,900,943	6,850,309
Marshfield	15,862,473	2,726,132
Mashpee	5,110,905	462,992
Mattapoisett	1,072,353	510,032
Maynard	5,888,925	1,977,017
Medfield	7,077,728	1,824,174
Medford	18,216,121	15,264,395
Medway	11,203,752	1,535,285
Melrose	12,986,881	6,453,730
Mendon	38,052	514,259
Merrimac	56,805	1,058,810
Methuen	71,034,365	6,842,201
Middleborough	22,876,805	3,102,603
Middlefield	13,290	66,898
Middleton	1,892,504	688,545
Milford	54,536,658	3,843,697
Millbury	9,142,668	2,228,390
Millis	5,186,041	1,317,525
Millville	73,662	512,588
Milton	12,450,019	4,043,495
Monroe	141,136	23,138
Monson	7,808,629	1,642,705
Montague	9,046	1,803,497
Monterey	0	58,183
Montgomery	31,236	109,209
Mount Washington	13,818	37,722
Nahant	604,530	475,480
Nantucket	4,744,330	99,707
Natick	14,112,732	4,795,354
Needham	14,307,209	2,196,815
New Ashford	123,072	25,560
New Bedford	254,298,042	28,948,554
New Braintree	0	166,124
New Marlborough	0	73,698
New Salem	0	130,568
Newbury	16,934	651,721
Newburyport	6,040,160	3,209,495
Newton	29,528,784	7,395,314
Norfolk	3,796,804	1,206,804
North Adams	16,707,282	5,582,972

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
North Andover	12,739,014	2,578,962
North Attleborough	21,994,677	3,620,464
North Brookfield	5,005,641	1,002,740
North Reading	7,896,937	2,234,412
Northampton	8,424,239	5,531,092
Northborough	4,525,383	1,403,699
Northbridge	16,247,853	2,656,333
Northfield	0	454,664
Norton	13,547,257	2,615,499
Norwell	5,390,713	1,349,015
Norwood	18,520,131	5,853,424
Oak Bluffs	2,024,599	91,520
Oakham	0	241,436
Orange	7,009,550	2,033,726
Orleans	480,884	216,158
Otis	0	45,772
Oxford	12,339,438	2,587,633
Palmer	12,171,699	2,523,737
Paxton	0	680,969
Peabody	38,124,801	9,083,945
Pelham	292,599	200,314
Pembroke	14,449,899	2,115,381
Pepperell	0	1,878,210
Peru	91,030	143,718
Petersham	714,028	144,268
Phillipston	0	232,130
Pittsfield	68,450,361	10,865,141
Plainfield	53,061	63,134
Plainville	3,141,623	954,703
Plymouth	29,609,322	4,931,018
Plympton	1,126,392	298,548
Princeton	0	372,594
Provincetown	321,549	174,066
Quincy	46,865,728	24,029,202
Randolph	30,617,365	6,541,082
Raynham	0	1,430,980
Reading	12,051,308	4,079,678
Rehoboth	0	1,311,788
Revere	107,214,598	12,945,076
Richmond	544,368	136,149

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Rochester	2,501,757	534,481
Rockland	19,893,378	3,326,742
Rockport	1,687,466	550,648
Rowe	153,920	4,958
Rowley	34,649	679,588
Royalston	0	226,241
Russell	255,579	310,802
Rutland	0	1,164,117
Salem	31,038,303	8,680,970
Salisbury	14,443	795,127
Sandisfield	0	43,608
Sandwich	7,901,826	1,418,384
Saugus	16,170,602	4,616,824
Savoy	528,639	145,811
Scituate	7,030,735	2,531,555
Seekonk	8,123,778	1,548,556
Sharon	11,120,866	1,761,617
Sheffield	15,185	306,580
Shelburne	0	329,095
Sherborn	918,615	272,584
Shirley	0	1,651,067
Shrewsbury	22,041,135	3,505,524
Shutesbury	664,232	213,404
Somerset	10,919,427	1,930,129
Somerville	22,166,857	31,707,358
South Hadley	11,002,049	3,286,650
Southampton	2,707,098	801,851
Southborough	3,381,713	550,409
Southbridge	34,297,908	4,427,213
Southwick	220,059	1,587,389
Spencer	34,709	2,846,329
Springfield	545,839,651	47,640,039
Sterling	0	872,445
Stockbridge	0	125,440
Stoneham	7,747,488	4,676,942
Stoughton	31,413,964	4,029,825
Stow	0	529,761
Sturbridge	5,242,129	974,962
Sudbury	6,005,344	1,761,581
Sunderland	920,906	636,059

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Sutton	5,901,981	982,348
Swampscott	5,783,630	1,628,910
Swansea	11,172,688	2,363,571
Taunton	105,442,130	10,584,409
Templeton	11,493	1,754,835
Tewksbury	14,396,897	3,502,511
Tisbury	1,706,724	123,397
Tolland	0	23,260
Topsfield	1,593,037	771,878
Townsend	0	1,653,876
Truro	459,201	37,860
Tyngsborough	7,938,135	1,216,153
Tyringham	72,676	15,978
Upton	39,979	669,997
Uxbridge	9,981,720	1,731,554
Wakefield	9,147,848	4,239,495
Wales	1,196,068	297,237
Walpole	10,532,625	3,207,241
Waltham	26,380,926	12,084,474
Ware	14,743,900	2,172,610
Wareham	16,627,332	2,489,831
Warren	11,789	1,138,554
Warwick	388,934	160,047
Washington	37,233	118,862
Watertown	8,301,991	8,394,011
Wayland	7,747,360	1,137,532
Webster	21,361,821	3,115,807
Wellesley	10,643,686	1,630,210
Wellfleet	320,438	73,555
Wendell	0	219,315
Wenham	0	539,044
West Boylston	3,307,270	1,002,661
West Bridgewater	7,016,848	822,918
West Brookfield	328,719	612,936
West Newbury	13,151	372,876
West Springfield	47,140,802	4,510,162
West Stockbridge	0	122,358
West Tisbury	0	233,746
Westborough	12,592,506	1,458,291
Westfield	45,142,610	7,922,157

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
Westford	18,643,944	2,674,390
Westhampton	508,023	182,355
Westminster	0	823,799
Weston	4,809,284	470,728
Westport	5,712,677	1,531,031
Westwood	7,583,326	918,093
Weymouth	30,364,583	10,972,997
Whately	345,083	168,883
Whitman	174,351	3,047,255
Wilbraham	0	1,841,763
Williamsburg	866,506	380,992
Williamstown	0	1,201,478
Wilmington	12,394,220	3,129,198
Winchendon	14,394,811	2,117,120
Winchester	11,074,811	1,861,940
Windsor	28,984	130,684
Winthrop	10,358,816	5,305,183
Woburn	15,078,604	7,533,912
Worcester	411,779,259	52,296,306
Worthington	486,492	158,071
Wrentham	4,093,547	1,173,261
Yarmouth	0	1,588,873
Total Municipal Aid	6,395,250,421	1,337,505,360

	Chapter 70
Regional School District	
Acton Boxborough	16,829,871
Amherst Pelham	9,979,136
Ashburnham Westminster	16,095,762
Assabet Valley	11,083,668
Athol Royalston	25,520,562
Ayer Shirley	8,887,510
Berkshire Hills	3,466,218
Berlin Boylston	3,149,267
Blackstone Millville	12,080,008
Blackstone Valley	9,501,547
Blue Hills	7,641,944
Bridgewater Raynham	34,209,990
Bristol County	5,238,560
Bristol Plymouth	14,563,119
Cape Cod	3,528,015
Central Berkshire	10,058,466
Chesterfield Goshen	788,822
Concord Carlisle	3,518,073
Dennis Yarmouth	13,956,285
Dighton Rehoboth	13,812,003
Dover Sherborn	2,858,627
Dudley Charlton	25,575,612
Essex North Shore	8,661,047
Farmington River	751,619
Franklin County	6,198,918
Freetown Lakeville	12,136,839
Frontier	3,017,627
Gateway	6,284,880
Gill Montague	8,001,123
Greater Fall River	23,820,737
Greater Lawrence	41,447,422
Greater Lowell	38,330,600
Greater New Bedford	36,903,254
Groton Dunstable	11,663,603
Hamilton Wenham	4,312,842
Hampden Wilbraham	12,836,755
Hampshire	3,466,917
Hawlemont	663,595
Hoosac Valley	12,259,184
King Philip	8,234,203
Lincoln Sudbury	4,113,542

	Chapter 70
Regional School District	
Manchester Essex	3,431,566
Marthas Vineyard	3,690,063
Masconomet	5,729,078
Mendon Upton	13,108,144
Minuteman	3,094,404
Mohawk Trail	6,315,884
Monomoy	4,503,890
Montachusett	18,762,805
Mount Greylock	5,052,996
Narragansett	13,040,917
Nashoba	10,322,523
Nashoba Valley	4,944,364
Nauset	3,914,479
New Salem Wendell	931,490
Norfolk County	1,511,730
North Middlesex	21,399,404
Northampton Smith	953,346
Northboro Southboro	3,581,516
Northeast Metropolitan	16,193,577
Northern Berkshire	7,070,377
Old Colony	4,270,890
Old Rochester	3,638,871
Pathfinder	7,817,461
Pentucket	13,931,140
Pioneer	4,111,924
Quabbin	17,280,512
Quaboag	10,522,840
Ralph C Mahar	6,511,146
Shawsheen Valley	6,899,223
Silver Lake	10,666,758
Somerset Berkley	7,136,901
South Middlesex	9,913,729
South Shore	5,912,172
Southeastern	24,546,392
Southern Berkshire	2,196,645
Southern Worcester	14,565,806
Southwick Tolland Granville	10,079,246
Spencer East Brookfield	14,192,855
Tantasqua	11,574,649
Tri County	6,026,291
Triton	9,488,185

	Chapter 70	
Regional School District		
Upisland	1,036,062	
Upper Cape Cod	4,654,810	
Wachusett	37,060,338	
Whitman Hanson	25,929,471	
Whittier	13,953,373	
	Chapter 70	Unrestricted General Government Aid
TOTALS		
Total Regional Aid	926,918,015	
Total Municipal and Regional Aid	7,322,168,436	1,337,505,360



Section 4 - Speed Camera Enforcement 1

SECTION 4. Clause Twenty-sixth of section 7 of chapter 4 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following subclause:-

(w) Photographs and other personal identifying information collected under chapter 90L.

Summary:

This section, together with related sections, authorizes the Massachusetts Department of Transportation to establish a speed camera enforcement program to allow the Department and municipalities to enforce posted speed limits through speed cameras.

Section 5 - Massachusetts Commission Against Discrimination Modernization 1

SECTION 5. Section 17 of chapter 6 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 6 and 7, the words ", the Massachusetts commission against discrimination".

Summary:

This section, together with related sections, updates the structure of the Massachusetts Commission Against Discrimination.

Section 6 - Massachusetts Commission Against Discrimination Modernization 2

SECTION 6. Said chapter 6 of the General Laws, as so appearing, is hereby amended by striking out section 56 and inserting in place thereof the following section:-

Section 56. There shall be a commission to be known as the Massachusetts commission against discrimination. The commission shall be an independent agency of the government of the commonwealth and shall not be subject to the control of any other department or agency. Such commission shall consist of 5 members, to be known as commissioners, 3 of whom shall be appointed by the governor, 2 of whom shall be appointed by the attorney general. The governor shall designate 1 commissioner as chair, who shall devote their full-time duties to their office and the remaining 4 commissioners shall be per diem. Two commissioners shall reside in Worcester, Hampden, Hampshire, Franklin or Berkshire county and 3 shall reside in any of the remaining counties of the commonwealth. Each commissioner shall be appointed for a term of 3 years. Any commissioner chosen to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term of the commissioner whom they are to succeed. Three commissioners shall constitute a quorum for the purpose of conducting the business of the commission and a majority of commissioners present and voting shall be required for an action of the commission. The chair may call a meeting of the commission and may call for a vote on any matter designated for a vote on the notice of the meeting. A vacancy shall not impair the right of the remaining commissioners to exercise all the powers of the commission. A commissioner may be removed by their appointing authority for inefficiency, neglect of duty, misconduct or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard thereon.

The commission shall appoint an executive director. The executive director shall serve at the pleasure of the commission, shall receive a salary at least commensurate with the salary received by the chair, as may be determined by the commission, and shall devote their full time and attention to the duties of the office. The executive director shall be a person with skill and experience in management and shall be the executive and administrative head of the commission. The executive director shall be responsible for the day-to-day operations of the commission and for administering and ensuring the commission's ability to enforce the provisions of law relative to the commission and to each administrative unit thereof, which shall include, but not be limited to, developing protocols and procedures to execute the commission's regulations and to expedite the handling of cases and complaints. The executive director shall employ a chief financial officer, who shall be responsible for all funds of the commission. The executive director may employ such attorneys, clerks and other employees and agents as the executive director may deem necessary, fix their compensation within the limitations provided by law, and prescribe their duties. The executive director shall annually render a written report to the governor and to the general court of its activities and any recommendations.

All employees of the commission, except as an executive director, executive secretary, the heads and deputy heads of divisions, attorneys, field representatives and such other positions as the commission may from time to time designate, shall be subject to chapter 31 and the rules and regulations made thereunder.

There shall be regional offices located in the cities of Fall River, Springfield and Worcester. The Commission shall hold public hearings as are needed in the respective regions. Every case shall, to the extent practicable, be heard in the region in which the complainant resides.

The governor and the attorney general shall appoint an advisory board to the commission, consisting of not less than 21 persons, 13 of whom shall be appointed by the governor and 8 of whom shall be appointed by the attorney general. Each member shall be appointed for a term of 5 years. Any board member chosen to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term of the board member whom they are to succeed. The members of said board shall include diverse representation and strive to include persons with expertise in fair housing laws and regulations; owners and brokers of residential property; major lending and credit institutions; major private employers; a designee of the civil service commission; post-secondary educational institutions; major labor organizations; minority racial, ethnic and linguistic groups; women; elderly; persons with disabilities; and recipients of public assistance.

The board shall advise the commission on matters of policy affecting the commission and shall review the implementation of the commission's programs and policies and from time to time report their conclusions to the commission and the commissioner appointing authorities. The board shall coordinate the activities of the local or regional advisory boards appointed pursuant to subsection 8 of section 3 of chapter 151B. The governor shall from time to time designate 1 member as chair of the board. The members of the board shall not be compensated for their services, but they shall be reimbursed for travel and other expenses necessary for the performance of their duties. The executive director may provide technical and clerical assistance to the advisory board.

Summary:

This section, together with related sections, updates the structure of the Massachusetts Commission Against Discrimination.

Section 7 - State Domestic Violence Fatality Review Team

SECTION 7. Section 18N of chapter 6A, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 30 and 31, the words "the chief justice of the trial court or a designee" and inserting in place thereof the following words:- a retired judge of the trial court to be appointed by the Governor.

Summary:

This section appoints a retired trial court judge to the State Domestic Violence Fatality Review Team instead of the Chief Justice of the Trial Court or their designee.

Section 8 - Department of Transportation Snow and Ice Deficiency

SECTION 8. Section 4 of chapter 6C of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 98, the figure "\$40,000,000" and inserting in place thereof the following figure:- \$35,000,000.

Summary:

This section reduces the Department of Transportation's snow and ice deficiency spending authority from \$40,000,000 to \$35,000,000.

Section 9 - Lottery Commission Clarification

SECTION 9. Subsection (a) of section 25 of chapter 10 of the General Laws, as amended by section 9 of chapter 140 of the acts of 2024, is hereby amended by inserting after the word "appropriation", the first time it appears, the following words:- ; notwithstanding the foregoing, the commission may enter into contracts or group agreements for lottery games not currently or previously authorized by the commission, resulting in a contractor or licensor to be paid a specified percentage of net or gross revenues of such game and such payments shall not be subject to appropriation.

Summary:

This section clarifies that the Lottery Commission may enter into contracts for lottery games not currently or previously authorized by the Commission.

Section 10 - Audit Frequency

SECTION 10. Section 12 of chapter 11 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 18, the figure "3" and inserting in place thereof the following figure:- 5.

Summary:

This section requires that the State Auditor conduct audits of all entities required to be audited every 5 years rather than every 3 years.

Section 11 - Victim Compensation Program Transfer 1

SECTION 11. Section 11K of chapter 12 of the General Laws is hereby repealed.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 12 - Vital Statistics Advisory Commission Expansion

SECTION 12. The second paragraph of section 4 of chapter 17 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the second and third sentences and inserting in place thereof the following 3 sentences:- The registrar shall be subject to chapter 31 and shall, under the supervision of the commissioner, enforce all laws relative to the registry and statewide return of births, marriages and deaths, and may prosecute in the name of the commonwealth any violations thereof. The department may, after public hearing, promulgate regulations to ensure the uniform administration of all laws relative to the registry and return of births, marriages and deaths. Proposed regulations shall be prepared for the department by the registrar in consultation with an advisory committee which shall include, at minimum, the registrar, no less than 4 town clerks as defined in subsection (e) of section 1E of chapter 46, a genealogist to be chosen from a list of 3 to be submitted by the Massachusetts Historical Genealogical Society, and a historian to be chosen from a list of 3 to be submitted by the Massachusetts Historical Commission to be appointed by the registrar.

Summary:

This section allows the vital statistics regulation advisory commission to include additional representation.

Section 13 - Department of Energy Resource Assessment Authority

SECTION 13. Chapter 25A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out section 11H and inserting in place thereof the following section:-

Section 11H. (a) The department of energy resources may make an assessment against each electric and gas utility company licensed to do business in the commonwealth by the department of public utilities, based upon the intrastate operating revenues subject to the jurisdiction of the department of public utilities of each such company derived from sales within the commonwealth of electric and gas service, respectively, as shown in the annual report of each such company to the department of public utilities.

(b) Assessments shall be made at a rate not to exceed 0.3 per cent of such intrastate operating revenues, as shall be determined and certified annually by the commissioner as sufficient to reimburse the commonwealth for funds appropriated by the general court for the operation and general administration of the department, exclusive of funds appropriated by the general court for the cost of fringe benefits as established by the comptroller pursuant to section 5D of chapter 29, including group life and health insurance, retirement benefits, paid vacations, holidays and sick leave.

(c) Assessments made under this section may be credited to the normal operating cost of each company. Each company shall pay the amount assessed against it within 30 days after the date of the notice of assessment from the department. Such assessments shall be collected by the department

and credited to the General Fund. Any funds unexpended in any fiscal year for the purposes for which such assessments were made shall be credited against the assessment to be made in the following fiscal year and the assessment in the following fiscal year shall be reduced by any such unexpended amount. This section shall not apply to municipally owned electric and gas companies.

Summary:

This section increases the cap on the Department of Energy Resource's ability to charge assessments to electric and gas utility companies and expands authorized uses of those assessment funds by DOER.

Section 14 - Health Care Access Bureau Assessment

SECTION 14. Section 7A of chapter 26 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the figure "176B", each time it appears, in lines 18, 33 and 38, in each instance, the following figure:- , 176E.

Summary:

This section updates the Division of Insurance's Health Care Access Bureau assessment to include dental service corporations.

Section 15 - Board of Appeals Modernization 1

SECTION 15. Chapter 26 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out section 8A and inserting in place thereof the following section:-

Section 8A. (a) There shall be a board of appeal on motor vehicle liability policies and bonds serving in the division of insurance and consisting of 4 members: 1 of whom shall be designated by the commissioner of insurance; 1 of whom shall be designated by the registrar of motor vehicles; and 2 of whom shall be designated by the attorney general. All members of the board shall serve at the pleasure of their designating authority. The commissioner, the registrar of motor vehicles, and the attorney general may each designate up to 2 alternate members. Any designation of alternate members may be revoked at any time and may run for such period as prescribed by the designating authority. In the case of an absence, inability to act or unavailability on the part of a principal member, whether temporary or permanent, the place of the principal member may be taken by an alternate member of the same designating authority at the discretion of the chair of the board or executive director. Board members, as well as their designated alternates, shall hold a current license to practice law in the Commonwealth or have experience in the areas of road safety or motor vehicle law. The compensation of a principal or alternate member, if not an employee of the commonwealth, shall be fixed by the commissioner. The commissioner shall designate the chair of the board.

(b) The commissioner shall appoint an executive director. The executive director shall report to and serve at the pleasure of the commissioner and shall devote their full time and attention to the duties of the office. The executive director shall be the executive and administrative head of the board. The executive director shall be responsible for the day-to-day operations of the board and may employ such employees and agents as the executive director may deem necessary, fix their compensation within the limitations provided by law, and prescribe their duties. The executive director shall keep a record of all proceedings before the board and shall collect data on appeals, board outcomes and key performance metrics as determined by the commissioner.

(c) There shall be an executive secretary, employed by the division, who reports to the executive director. As deemed necessary by the commissioner, the division may employ staff to support the executive director and the board.

(d) All expenditures incurred under this section shall be paid from the highway fund. Section 11 of chapter 233 shall apply to the board and any witnesses summoned before it. The fees for attendance and travel of witnesses before the board shall be paid an amount commensurate with the provisions of section 29 of chapter 262 and need not be paid nor tendered to them prior to their attendance. Said fees shall be paid by the commonwealth upon the certificate of the board or a member thereof or the executive director filed with the comptroller. An office and a room for hearings shall be provided or facilitated by the commissioner. The board may hold hearings at any place within the commonwealth, as well as virtually, and the members and board staff thereof shall be allowed their necessary traveling and other expenses in holding hearings outside the city of Boston. The board, with the approval of the commissioner, and in consultation with the registry of motor vehicles and the attorney general, shall make and amend reasonable rules and regulations to expedite and regulate hearings and the procedures before it.

(e) Cases before the board shall be heard by panels of 3 members; provided, however, that the board may provide by regulation for categories of cases that may be heard by a single board member or a designated hearing officer, or which may be decided upon written submissions. Any designated hearing officer shall be an employee of the board or the division. A designated hearing officer shall file a memorandum of their findings or order in the office of the board and shall send a copy to all parties to the appeal. A memorandum of findings or an order so filed by a designated hearing officer shall be considered a final determination of the board.

Summary:

This section, together with related sections, updates the Board of Appeals structure.

Section 16 - Behavioral Health Access and Crisis Intervention Trust Fund

SECTION 16. Section 2WWWWW of chapter 29 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 5, the word "system" and as inserting in place thereof the following words:- continuum of care and to provide high-quality and equitable access to emergent, urgent, diversionary and rehabilitative care for individuals with a behavioral health condition.

Summary:

This section amends uses of the Behavioral Health Access and Crisis Intervention Trust Fund to support access to a continuum of behavioral health care.

Section 17 - Education and Transportation Fund Technical Update

SECTION 17. Section 2BBBBBB of chapter 29 of the General Laws, as inserted by section 17 of chapter 28 of the acts of 2023 and most recently amended by section 52 of chapter 140 of the acts of 2024, is hereby amended by striking out the figure "\$250,000,000" and inserting in place thereof the following figure:- \$765,000,000.

Summary:

This section updates the amount of dedicated transportation income surtax revenue to the Commonwealth Transportation Fund.

Section 18 - Access to Retirement Savings 1

SECTION 18. Section 64 of chapter 29 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 31, the words "independent contractors" and inserting in place thereof the following words: contracted employees.

Summary:

This section, together with related sections, enables the Treasurer to automatically enroll new state employees into the state's deferred compensation program, unless the employee chooses to opt out.

Section 19 - Access to Retirement Savings 2

SECTION 19. Said section 64 of said chapter 29, as so appearing, is hereby further amended by adding the following paragraph:-

The state treasurer, on behalf of the commonwealth, may establish an automatic enrollment feature within the deferred compensation program. The automatic enrollment feature shall not require prior authorization by an employee. Automatic enrollment features shall be set forth in the deferred compensation plan document and shall include, but not be limited to, the following provisions:

(i) automatic enrollment shall apply only to employees hired on or after January 1, 2026; provided, however, that for any commonwealth agencies or departments that purchase or make payments to an individual or group annuity contract, custodial account, or any other investment authorized under section 403(b) of the Internal Revenue Code for its employees, automatic enrollment shall only apply at said agency's or department's discretion and affirmative election;

(ii) automatic enrollment shall apply only to new employees of a "governmental body", as defined in section 64B, if the governmental body elects to implement the automatic enrollment feature for its employees;

(iii) automatic enrollment shall not require new employees to defer any amount of their compensation;

(iv) an employee who is automatically enrolled shall have the option decline participation in the plan and shall have 90 days from the date of enrollment to discontinue participation in the plan;

(v) an automatically enrolled employee who discontinues participation in the plan within 90 days shall receive a refund of their account as soon as practicable after discontinuing participation;

(vi) a qualified default investment option to receive contributions by any automatically-enrolled employee who does not choose an investment alternative to receive the employee's contributions; and

(vii) notice requirements to automatically-enrolled participants in accordance with federal law.

Summary:

This section, together with related sections, enables the Treasurer to automatically enroll new state employees into the state's deferred compensation program, unless the employee chooses to opt out.

Section 20 - Access to Retirement Savings 3

SECTION 20. Section 64B of said chapter 29, as so appearing, is hereby amended by inserting after the third paragraph the following paragraph:-

The treasurer or, in the absence of the treasurer, the chief financial officer by whatever name that person is called, on behalf of a governmental body, may, at its own election, implement an automatic enrollment feature within its deferred compensation program established pursuant to this section. The automatic enrollment feature shall not require advance authorization by an employee. Subject to the election of each governmental body, any such automatic enrollment feature permitted as a part of a governmental body's deferred compensation program shall only apply to new employees of a governmental body hired on or after January 1, 2026 and such deferred compensation program will be required to include the specifications for auto enrollment detailed in subsections (b) through (h), inclusively, of section 64.

Summary:

This section, together with related sections, enables the Treasurer to automatically enroll new state employees into the state's deferred compensation program, unless the employee chooses to opt out.

Section 21 - Non-Profit Retirement Plans 1

SECTION 21. Section 64E of said chapter 29, as so appearing, is hereby amended by striking out, in line 5, the figure "20" and inserting in place thereof the following figure:- 100.

Summary:

This section, together with a related section, expands access to the publicly-managed retirement savings program for small non-profits sponsored by the Treasurer to non-profits employing up to 100 employees and permits the Treasurer to use private donations and fundraised funds to defray the expenses of the CORE Plan.

Section 22 - Non-Profit Retirement Plans 2

SECTION 22. Said section 64E of said chapter 29, as so appearing, is hereby further amended by adding the following subsection:-

(g) Notwithstanding any general or special law to the contrary, the treasurer, or their designee, may seek to reduce operating expenses for the plan through private donations or grants, which may include direct and indirect fundraising.

Summary:

This section, together with a related section, expands access to the publicly-managed retirement savings program for small non-profits sponsored by the Treasurer to non-profits employing up to 100 employees and permits the Treasurer to use private donations and fundraised funds to defray the expenses of the CORE Plan.

Section 23 - Employees of the MBTA Advisory Board 1

SECTION 23. The definition of "Employee" in section 1 of chapter 32 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:- "Employee", as applied to persons whose regular compensation is paid by the advisory board to the Massachusetts Bay Transportation Authority established in chapter 161A, shall mean any person who is engaged in duties which require that the person's time be devoted to the service of said advisory board in each year during the ordinary working hours of regular and permanent employees.

Summary:

This section, together with related sections, makes employees of the MBTA Advisory Board eligible for participation in the state retirement pension and Group Insurance Commission health benefits.

Section 24 - Employees of the MBTA Advisory Board 2

SECTION 24. Said section 1 of said chapter 32, as so appearing, is hereby further amended by inserting after word "District", in line 390, the following words:- , the advisory board to the Massachusetts Bay Transportation Authority as established in chapter 161A.

Summary:

This section, together with related sections, makes employees of the MBTA Advisory Board eligible for participation in the state retirement pension and Group Insurance Commission health benefits.

Section 25 - Creditable Service Clarification

SECTION 25. Said section 1 of said chapter 32 of the General Laws, as so appearing, is hereby amended by inserting after the word "employer", in line 602, the following words:-, including any accrued sick, personal or vacation leave except when paid as a supplement to the receipt of weekly workers' compensation benefits pursuant to section 69 of chapter 152;.

Summary:

This section applies creditable service status to accrued sick, personal, or vacation leave that is used during an employee's parental, family, or medical leave in conjunction with paid family and medical leave benefits received by the Department of Family and Medical Leave.

Section 26 - Employees of the MBTA Advisory Board 3

SECTION 26. Section 2 of said chapter 32, as so appearing, is hereby amended by inserting after the word "Authority", in line 21, the following words:- the advisory board to the Massachusetts Bay Transportation Authority.

Summary:

This section, together with related sections, makes employees of the MBTA Advisory Board eligible for participation in the state retirement pension and Group Insurance Commission health benefits.

Section 27 - Employees of the MBTA Advisory Board 4

SECTION 27. Section 2 of chapter 32A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the word "Authority", in line 16, the following words:- , the advisory board to the Massachusetts Bay Transportation Authority as established in chapter 161A.

Summary:

This section, together with related sections, makes employees of the MBTA Advisory Board eligible for participation in the state retirement pension and Group Insurance Commission health benefits.

Section 28 - Vital Statistics Outdated Language 1

SECTION 28. Chapter 46 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. Each town clerk shall receive or obtain and record the following facts, as well as such additional information that may be required under federal statutes or contracts, regulations promulgated pursuant to section 4 of chapter 17, or, as the commissioner of public health may require, relative to births, marriage, acknowledgments and adjudications of parentage and deaths which occurred in the town and for certificates of marriage issued by the town.

In the record of births, date of birth, place of birth, name, residence and sex of child; and names, birth surnames, places of birth and dates of birth of both parents. In the record of birth of a child born to parents not married to each other, the name of and other facts relating to the second parent shall not be recorded except as provided in section 2 of chapter 209C where parentage has been acknowledged or adjudicated under the laws of the commonwealth or under the law of any other jurisdiction.

In the record of marriages, date of record, date and place of marriage, name, residence and official station of the person by whom solemnized; for each of the parties to be married the name, date and place of birth, residence, age, number of the marriage, as first or second, and if previously married, whether widowed or divorced and the birth-given names of their parents.

In the record of death, date of death, names of deceased, including birth surname, social security number, gender, race, marital status, education, name of spouse if ever married, supposed age, residence, occupation, place of death, place of birth, names, birth surnames and places of birth of the parents, disease or cause of death, defined so that it can be classified under the international classification of causes of death, place and type of immediate disposition. The word "residence", as used in this section, shall include the name of the street and number, if any, of the house.

Summary:

This section, together with a related section, makes technical updates to outdated language in the vital statistics statute.

Section 29 - Vital Statistics Outdated Language 2

SECTION 29. Said chapter 46, as so appearing, is hereby amended by striking out section 13 and inserting in place thereof the following section:-

Section 13. (a) If the record relating to a birth, marriage, acknowledgment or adjudication of parentage, or death does not contain all the required facts, or if it is claimed that the facts are not correctly stated therein, the town clerk or state registrar shall receive from the person required by law to furnish the information for the original record, or by credible persons having knowledge of the case, an affidavit containing the missing or corrected facts required to correct or complete the record, accompanied by documentary evidence substantiating such facts beyond a reasonable doubt. Except as hereinafter provided, such amendments or additions can be made only to reflect the correct information at the time of the event. The minimum documentary evidence to be required shall be specified by regulations promulgated pursuant to section 4 of chapter 17.

(b) Any record filed under this chapter may be amended, corrected or supplemented within 1 year after the date of the event without such affidavit or documentary evidence if allowed by regulations promulgated pursuant to the provisions of section 4 of chapter 17, except such amendments, corrections, or supplements which are expressly provided for hereinafter.

(c) If a person shall have acquired the status of a marital child by the intermarriage of their parents and the acknowledgment of the child's other parent or an adjudication of parentage by a court or administrative agency of competent jurisdiction under the laws of the commonwealth or any other law, the record of his birth shall be amended so as to read, in all respects, as if such person had been reported at the time of birth as born to such parents in lawful wedlock.

(d) If a person is born to parents not married to each other or if the person who gave birth and their spouse at the time of the birth or conception of the child complete an affidavit denying that the spouse is the parent of the child, or if there is an adjudication of the nonparentage of the spouse, such person's birth record shall be amended to include the alleged genetic parent's information required by section 1 provided that:

(1) the person who gave birth and the alleged genetic parent have signed and filed an acknowledgment of parentage with the clerk in the city or town where the birth occurred, the state registrar, or the probate and family court having jurisdiction over the parties or the child pursuant to chapter 209C;

(2) there has been a judgment of parentage by a court or administrative agency of competent jurisdiction under the laws of the commonwealth and the court presents to the state registrar a certified copy of such judgment on a form provided by the state registrar to amend the birth certificate;

(3) there has been an acknowledgment of parentage, or a judgment of parentage by a court or administrative agency of competent jurisdiction under the laws of the commonwealth or of another state or a foreign country, and 1 of the following persons requests an amendment and presents to the state registrar a copy of such judgment: the parent who gave birth, the parent named in such acknowledgment or judgment of parentage, the parent named currently on the birth record, the subject of the record, the legal guardian of the subject or the legal representative of any of the foregoing;

(4) there has been a judgment of parentage by a court or administrative agency of competent jurisdiction in the commonwealth and the court orders the state registrar to amend the birth certificate to include the information relating to the other parent. Such order may include an order to amend information relating to the name of the child; or

(5) there has been a judgment of parentage by a court or administrative agency of competent jurisdiction in the commonwealth approving or adopting a judgment establishing parentage issued by a court or administrative agency of competent jurisdiction under the law of another state or a foreign country, and the court presents to the state registrar a certified copy of such judgment on a form provided by the state registrar to amend the birth certificate. The clerk of the city or town where the child was born or the state registrar shall amend the birth certificate consistent with the findings of the court and the certificate shall be required to read, in all respects, as if such information had been

reported at the time of such birth. The fact that parentage was established after the child's birth shall not be ascertainable from the new certificate but the actual place and date of birth shall be shown. The original certificate and the evidence upon which the amended birth certificate was made and the original birth certificate shall be subject to inspection by the person who gave birth, the other parent, the subject of the record, any person presumed to be the parent under section 6 of chapter 209C, or government officials requiring access for their official duties, including the IV-D agency as set forth in chapter 119A or a legal representative of the subject of the record; an order of the probate and family court in the county where the child was born is required for anyone else seeking access to the original record or evidence.

(e) (1) A person who is 18 years of age or older, an emancipated minor or the parent or guardian of a person who is a minor may request a change in the sex designation on the person's birth record to a sex designation including, but not limited to, "female", "male" or "X". An "X" designation may indicate that the person is another gender or an undesignated gender. A request for a change in the sex designation on a birth record shall be accompanied by an affidavit executed under the penalty of perjury by the person to whom the record relates or by the parent or guardian of the person if the person is a minor attesting that the request is to conform the person's birth record to the person's gender identity and is not made for any fraudulent purpose. No medical or healthcare related documentation, court order or proof of change of name shall be required by a town clerk or other official in connection with a request under this paragraph.

(2) A person who requests a change in the sex designation on the person's birth record pursuant to paragraph (1) may request a change of name on the person's birth record. A request for a change of name on a birth record shall be accompanied by a certified copy of the legal change of name. No medical or healthcare related documentation shall be required by a town clerk or other official in connection with a request under this paragraph.

(3) A person who has changed the sex designation on the person's birth record pursuant to paragraph (1) but did not request a change of name on the person's birth record pursuant to paragraph (2) may request a change of name on the person's birth record within 3 years from the date of the change in the sex designation on the person's birth record pursuant to said paragraph (1); provided, however, that a person whose sex designation on their birth record was changed while the person was a minor shall have 3 years from the date of their eighteenth birthday to request a change of name on the person's birth record; provided further, that the department may waive the 3-year limitation for a person that demonstrates good cause, as determined by the department. A request for a change of name on a birth record shall be accompanied by a certified copy of the legal change of name. No medical or healthcare related documentation shall be required by a town clerk or other official in connection with a request under this paragraph.

(4) Upon joint application by parents, the birth record of their minor child shall be amended to change a parent or parents' names upon receipt of the following by the state registrar or town clerk a request by a parent for a change of name along with certified copy of the legal change of name or names. A request shall be accompanied by an affidavit executed under the penalty of perjury that the request is to conform the record to a change of name pursuant to paragraph (2) or (3) and is not made for any fraudulent purpose.

(f) If the birth of a child is recorded as that of a marital child, and the nonparentage of the spouse has been legally determined by a court of competent jurisdiction pursuant to the laws of the commonwealth or by a court or administrative agency of competent jurisdiction under the laws of another state or foreign country, or if the birth of a child is recorded as that of a child whose parentage has been acknowledged by the person who gave birth and the other parent and either parent rescinds the acknowledgment as provided in section 11 of chapter 209C or under similar law of another state or foreign country, the birth record shall be amended to remove the other parent's information provided that:

(1) there has been a notarized rescission filed with the Department of Public Health or a judgment of nonparentage or judgment of divorce by a court under the laws of the commonwealth and the court presents to the state registrar a certified copy of such judgment, together with a form provided by the state registrar to amend the birth certificate; or

(2) there has been a judgment of nonparentage or judgment of divorce by a court or administrative agency of competent jurisdiction under the laws of another state or foreign country and one of the following persons requests an amendment and presents to the state registrar a certified copy of such judgment: the person who gave birth, the parent named in such judgment of nonparentage or judgment of divorce, the subject of the record, the legal guardian of the subject of the record, or the legal representative of any of the foregoing

(g) If a person shall have been adopted by judicial decree, the clerk of the town where such person was born or the state registrar shall receive the certificate of such adoption issued under the authority of section 6A of chapter 210 or a certified copy of the decree for such adoption, whether issued by a probate court for the commonwealth or by the appropriate court of any other state or country. Except as hereinafter provided, said clerk or state registrar, after receiving such certificate of adoption or any such certified copy, shall forthwith correct the record of birth of the person so adopted. If such certificate or certified copy does not contain the facts relative to the adopting parents hereinafter required for correcting such record, the clerk or state registrar shall not correct such record until they have received an affidavit, signed and sworn to by the adopting parents, or by the person adopted, furnishing such facts. If a person who was in the custody of the department of children and families is adopted and the adopting parents surrender the person back to the department, that person shall have the right to change the birth certificate back to that person's birth name.

(h) The clerk or state registrar shall on forms provided by the state registrar complete an amended, corrected, or supplemented record of birth, death, acknowledgment or adjudication of parentage, or marriage. The original record of birth, death, acknowledgment or adjudication of parentage, or marriage and all returns and index entries in whatever format they are maintained shall be identified as corrected, amended, or supplemented. Effective January 1, 2000, all documentary evidence, including certificates of adoption or certified copies thereof, shall be sent to the state registrar for permanent filing. Until that date, the clerk shall transmit to the state registrar a certified copy of the corrected, amended or supplemented record, noting the documentary evidence to substantiate the affidavit. If the affidavit is initially submitted to the state registrar, the state registrar shall forward to the town clerk where the birth or death occurred, a certified copy of the corrected, amended or supplemented record, noting the documentary evidence to substantiate the affidavit, and the town clerk shall thereupon correct, amend or supplement the record in his office. If a copy of the record had been sent to the town clerk of the residence of the parents at the time of birth or where the deceased lived at the time of death, the state registrar shall forward to such city or town clerk a certified copy of the corrected, amended or supplemented record, noting the documentary evidence to substantiate the affidavit, and the town clerk shall thereupon correct, amend or supplement the record in his office. Reference to the record of the affidavit or such decree shall be made on the margin of the original record. If the clerk or state registrar furnishes a copy of such a record, they shall certify to the facts contained therein as corrected, amended or supplemented. Except as provided in the following two sentences, said clerk or other official responsible for the keeping of such records shall not release said information contained in such original record except upon proper judicial order, or when requested by a person seeking their own birth or marriage record, or by a person whose official duties, in the opinion of the state registrar or town clerk, entitle them to the information contained in the original record. Death records which are corrected, amended or supplemented after January 1, 1996, as well as the affidavit of the party seeking the correction, amendment, or supplementation of the death record and all documentary evidence or related records submitted in support of such affidavit shall not be restricted, except for records or other items of documentary evidence submitted in support of the affidavit which are considered medical records for purposes of paragraph (c) of clause twenty-sixth of section 7 of chapter 4 are restricted by section 2A of this chapter, or are restricted by judicial order. If the original

record has been amended following adoption in accordance with this section, the clerk or state registrar shall issue information contained in the original record only upon receipt of an order of the probate court for the county in which said adoption was granted or in accordance with section 2B, or in the case of an adoption granted outside the commonwealth, upon order of the probate court for the county in which said birth occurred or in accordance with said section 2B, instructing said clerk or state registrar to release the information contained in such original record. Evidence contained in the adoption record of a parent's willingness to provide information about their identity to the adopted person shall, except in extraordinary circumstances, be considered sufficient evidence to warrant the granting of an order for release of the information contained in the birth certificate registered prior to adoption. If the corrected, amended or supplemented record is that of a person who has acquired the status of a marital child, or whose record has been amended through an adoption decree, or whose record has been amended through addition of a named parent, or whose record has been amended pursuant to subsection (e), the clerk or state registrar shall not indicate on such copy that the record has been corrected, amended or supplemented.

(i) Such affidavit, or a certified copy of the record of any other town or of a written statement made at the time by any person since deceased required by law to furnish evidence thereof, may be made the basis for completing the record of a birth, marriage or death not containing all the facts required by section 1 of this chapter. No delayed record of birth shall be established for any deceased person more than 5 years after the date of death nor shall any delayed record of marriage be established if both spouses are deceased, except as provided by sections 13A, 13B and 13C.

(j) Upon the adoption of any abandoned child or foundling within the commonwealth and adopted according to the laws thereof and as to whose birth the facts required by section 1 or section 1A to be recorded have not been recorded, or, if recorded, cannot be identified, the state registrar upon receipt of an affidavit executed by the adopting parents, setting forth all the material facts known to him or them concerning said child or foundling, and of an order issued by the commissioner of children and families determining the date of birth of such child or foundling as nearly as may be, shall receive and record the facts relative to such births as provided in section 1 or section 1A. In addition to any other certificates or copies of such records authorized by law, said commissioner may, upon application, issue certificates setting forth the facts concerning said abandoned child or foundling appearing in any records of the department of children and families if no certificate of birth is recorded in the city or town where the child was born or the state registry.

(k) The person upon whose application a record of a birth, marriage or death is corrected or amended, or a delayed record of a birth, marriage or death is entered shall pay the fee as determined by the secretary of administration and finance.

(l) Upon application of both parties to a marriage, the record of marriage shall be amended to remove the sex of either or both parties to the marriage and change either or both parties' names upon receipt of the following by the state registrar or town clerk: (i) an affidavit executed by the parties to the marriage on a form provided by the registrar attesting to their concurrence that the record be amended to reflect or remove the gender identity or sex of the any such party; and (ii) a request by a party for a change of name along with evidence of the party's legal change of name.

Summary:

This section, together with a related section, makes technical updates to outdated language in the vital statistics statute.

Section 30 - Motor Vehicle Excise

SECTION 30. Section 1 of chapter 60A, as appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:-

For the purposes of this section, a motor vehicle and trailer registered under chapter 90 shall include registrations in revoked or suspended status or similar statuses as determined by the registrar.

Summary:

This section clarifies the existing Registry of Motor Vehicle practice regarding motor vehicle registrations in revoked or suspended status.

Section 31 - Investments in Massachusetts Opportunity Zones 1

SECTION 31. Section 1 of chapter 62 of the General Laws, as most recently amended by section 30 of chapter 126 of the acts of 2022, is hereby amended by striking out subsection (c) and inserting in its place the following subsection:-

(c) "Code", the Internal Revenue Code of the United States, as amended on January 1, 2022 and in effect for the taxable year; but Code shall mean the Code as amended and in effect for the taxable year for sections 62(a)(1), 72, 105, 106, 108(f)(5), 139C, 223, 274(m), 274(n), 401 through 420, inclusive, 457, 529, 529A, 530, 951, 951A, 959, 961, 3401 and 3405 but excluding sections 402A and 408(q); and provided further that for purposes of section 1400Z, the term "qualified opportunity zone" shall mean an area located in Massachusetts that is designated as a qualified opportunity zone under said section 1400Z-2.

Summary:

This section, together with a related section, limits certain state tax benefits to investments made only in federally-designated opportunity zones that are located in Massachusetts.

Section 32 - Charitable Donation Deduction

SECTION 32. Paragraph (a) of subsection (B) of section 3 of chapter 62 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out paragraph 13 and inserting in place thereof following paragraph:-

(13) Except as otherwise provided herein, an amount equal to the amount of the charitable contribution deduction allowed or allowable to the taxpayer under section 170 of the Code; provided, however, that, in taxable years beginning on or after January 1, 2002, no such deduction shall be allowed in any taxable year unless the rate of tax on Part B taxable income in section 4 in the prior taxable year was equal to 5 per cent; and provided, further, that notwithstanding said section 170 of the Code, no deduction shall be allowed for contributions of household goods or used clothing, as those items are recognized under said section 170 of the Code. In the case of a single person or a married person filing a separate return or as head of household, the total amount deducted for the taxable year shall not exceed \$5,000. In the case of a married couple filing a joint return, the total amount deducted for the taxable year shall not exceed \$10,000. All requirements, conditions and limitations applicable to charitable contributions under the Code shall apply for purposes of determining the amount of the deduction under this subparagraph, except that taxpayers shall not be required to itemize their deductions in their federal income tax returns.

Summary:

This section places an annual cap on the amounts allowable as charitable donation deductions.

Section 33 - Non-Resident Business Sales Clarification 1

SECTION 33. Section 5A of chapter 62 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following subsection:-

(e) Any trade or business conducted in the commonwealth by a pass-through entity shall be treated as the business of its nonresident owner, whether such ownership interest is held directly or indirectly through one or more other pass-through entities. A non-resident that recognizes gain from the sale of such ownership interest shall either allocate or apportion that gain depending upon whether the pass-through entity also conducted business in another state. Apportionment, if applicable, shall be based upon the business attributes of the pass-through entity. The commissioner shall adopt regulations providing for the implementation of this section, including with respect to the method of apportionment which shall be based upon the method set forth under section 38 of chapter 63. The commissioner may promulgate regulations requiring withholding by the pass-through entity with respect to the taxes owed on gain from the sale of an interest in such pass-through entity. For purposes of this section, a "pass-through entity" is a partnership as defined in section 1, an S corporation as defined under section 1361 of the Code, or any trust whose income, loss, deductions or credits flow through to its beneficiaries for Massachusetts tax purposes.

Summary:

This section, together with a related section, includes the sale of a business or an interest in a business in the Massachusetts source income of a non-resident that is subject to tax.

Section 34 - Security Corporations Tax Treatment Change 1

SECTION 34. Section 1 of chapter 63 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 1 and 2, the words "and section thirty-eight B,".

Summary:

This section, together with related sections, updates the tax treatment of security corporations.

Section 35 - Security Corporations 2 and Investments in MA Opportunity Zones 2

SECTION 35. Paragraph 3 of section 30 of said chapter 63 of the General Laws, as so appearing, is hereby further amended by striking out the definition of "Gross income" and inserting in place thereof the following definition:-

"Gross income", gross income as defined under the provisions of the Federal Internal Revenue Code, as amended and in effect for the taxable year, plus the interest from bonds, notes and evidences of indebtedness of any state, including this commonwealth; provided, however, that for purposes of applying section 1400Z-2 of the Code, the term "qualified opportunity zone" shall mean "an area located in Massachusetts that is designated as a qualified opportunity zone under said section 1400Z-2."

Summary:

This section, together with related sections, updates the tax treatment of security corporations and limits certain state tax benefits to investments made only in federally-designated opportunity zones that are located in Massachusetts.

Section 36 - Combined Group Reporting for Captive Insurance Companies

SECTION 36. Subsection (c) of Section 32B of chapter 63 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out paragraphs (1) and (2) and inserting in place thereof the following 3 paragraphs:-

(c)(1) Corporations that are subject to combination within the meaning of this section shall include an entity of the kind that is subject to tax or would be subject to tax if doing business in the state under section 2, 2B, 32D or 39. A corporation is subject to combination irrespective of whether the corporation is actually subject to tax under section 2, 2B, 32D or 39. A corporation subject to combination includes a real estate investment trust as referenced under sections 856 to 859, inclusive, of the Code and a regulated investment company as referenced under sections 851 to 855, inclusive, of the Code. Any corporation included in the combined group pursuant to this section that is subject to tax under section 2, 2B, 32D or 39 shall determine that part of its taxable net income or loss that is derived from a unitary business or from an affiliated group pursuant to an election under paragraph (2) of subsection (g). Such corporation shall not be subject to any duplicate inclusion of income or benefit from any duplicate deduction of loss under section 2, 2B, 32D or 39.

(1 ½) A corporation subject to combination within the meaning of this section shall not include an insurance company as defined in section 1 of chapter 175, except that such an insurance company shall be subject to combination if it is licensed as a captive insurance company under the laws of any jurisdiction. An insurance company subject to combination shall not be subject to tax under sections 20 to 29E.

(2) A corporation subject to combination within the meaning of this section shall not include an entity described in section 38B or 38Y.

Summary:

This section requires corporate tax filers to include affiliated captive insurance companies in their combined reporting group.

Section 37 - Security Corporations Tax Treatment Change 3

SECTION 37. Section 32B of said chapter 63 of the General Laws, as so appearing, is hereby amended by striking out, in line 65, the words "38B or".

Summary:

This section, together with related sections, updates the tax treatment of security corporations.

Section 38 - Non-Resident Business Sales Clarification 2

SECTION 38. Section 38 of chapter 63 of the General Laws, as amended by section 31 of chapter 50 of the acts of 2023, is hereby amended by adding the following subsection:-

(n) When a corporation recognizes gain on the sale of an interest in a pass-through entity that is doing business in the commonwealth either directly or through the ownership of one or more other pass-through entities, and the corporation and the pass-through entity that is doing business in the commonwealth directly were not engaged in a unitary business within the meaning of section 32B, the corporation shall either allocate or apportion the gain depending upon whether the pass-through entity doing business in the commonwealth directly also conducted business in another state. Apportionment, if applicable, shall be based upon the business attributes of the pass-through entity that was doing business in the commonwealth directly. The commissioner shall adopt regulations providing for the method of apportionment applying the rules set forth under this section. The commissioner may adopt regulations requiring withholding with respect to the taxes owed on gain from the sale of the pass-through entity interest. For purposes of this section, a "pass-through entity" shall mean "a partnership as defined in section 30, or any trust whose income, loss, deductions or credits flow through to its beneficiaries for Massachusetts tax purposes".

Summary:

This section, together with a related section, includes the sale of a business or an interest in a business in the Massachusetts source income of a non-resident that is subject to tax.

Section 39 - Security Corporations Tax Treatment Change 4

SECTION 39. Section 38B of chapter 63 of the General Laws is hereby repealed.

Summary:

This section, together with related sections, updates the tax treatment of security corporations.

Section 40 - Security Corporations Tax Treatment Change 5

SECTION 40. Section 68C of said chapter 63 of the General Laws, as so appearing, is hereby amended by striking out subclause (2).

Summary:

This section, together with related sections, updates the tax treatment of security corporations.

Section 41 - Penalty on Excessive Prescription Drug Price Growth 1

SECTION 41. The General Laws are hereby amended by inserting after chapter 63D the following chapter:-

CHAPTER 63E

PENALTY ON DRUG MANUFACTURERS FOR EXCESSIVE PRICE INCREASES

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

"Commissioner", the commissioner of revenue.

"Consumer price index", the consumer price index for all urban consumers for Boston, as most recently reported by the federal Bureau of Labor Statistics.

"Drug", any medication or biological product, as identified by a National Drug Code, approved for sale by the U.S. Food and Drug Administration.

"Excessive price", the price of a drug if it exceeds the reference price of that drug, as adjusted for any increase or decrease in the consumer price index since the reference price was determined, as determined on the first day of the applicable quarter.

"Excessive price increase", the amount by which the price of a drug exceeds the reference price of that drug, as adjusted for any increase or decrease in the consumer price index since the reference price was determined, as determined on the first day of the applicable quarter.

"Person", any natural person or legal entity.

"Price", the wholesale acquisition cost of a drug, per unit, as reported to the First Data Bank or other applicable price compendium designated by the commissioner.

"Reference price", the price of a drug as of January 1, 2025, or in the case of any drug first commercially marketed in the United States after January 1, 2025, the price of the drug on the date when first marketed.

"Related party", an entity is a related party with respect to a person if that entity belongs to the same affiliated group as that person under section 1504 of the Internal Revenue Code, as amended and in effect for the taxable year, or if the entity and the person are otherwise under common ownership and control.

"Unit", the lowest dispensable amount of a drug.

Section 2. (a) Any person who manufactures and sells drugs, directly or through another person, for distribution in the commonwealth and who establishes an excessive price for any such drug directly or in cooperation with a related party, shall pay a per unit penalty on all units of the drug ultimately dispensed or administered in the commonwealth. The penalty for each unit shall be 80 per cent of the excessive price increase for each unit, determined at the beginning of the calendar quarter.

(b) A person who establishes an excessive price for a drug as described in subsection (a) shall file a return as provided in section 4 declaring all units of excessively priced drug sold for distribution in the commonwealth during the quarter. In the event that a person filing such a return pays a penalty with regard to one or more units of drug that are ultimately dispensed or administered outside of the commonwealth, the person may claim a credit for such penalty amounts on the return for the tax period during which such units are ultimately dispensed or administered.

Section 3. The penalty under section 2 shall apply for any calendar quarter only to a person whose total sales of all products, directly or through another person, for distribution in the commonwealth were more than \$100,000 in the prior 12-month period. The penalty shall not apply more than once to any unit of drug sold.

Section 4. Any person subject to the penalty under section 2 shall file a return with the commissioner and shall pay the penalty by the fifteenth day of the third month following the end of each calendar quarter, subject to such reasonable extensions of time for filing as the commissioner may allow. The return shall set out the person's total sales subject to penalty in the immediately preceding calendar quarter and shall provide such other information as the commissioner may require.

Section 5. The penalty imposed under this chapter shall be in addition to, and not a substitute for or credit against, any other penalty, tax or excise imposed by state law.

Section 6. Notwithstanding section 21 of chapter 62C, the commissioner may disclose information contained in returns filed under this chapter to the department of public health for purposes of verifying that a filer's sales subject to penalty are properly declared and that all reporting is otherwise correct. Return information so disclosed shall remain confidential and shall not be public record.

Section 7. If a person subject to penalty under section 2 fails to pay amounts due under this chapter, a related party of such person that directly or indirectly distributes in the commonwealth any drug whose sales are subject to this chapter shall be jointly and severally liable for the penalty due.

Section 8. (a) If any provision of this chapter or the application thereof to any person or circumstance is held invalid or unconstitutional, the remainder of this chapter and the application of such provisions to other persons or circumstances shall not be affected thereby.

(b) If any penalty imposed under this chapter is determined by final judgment of a court of competent jurisdiction to be unconstitutional or otherwise impermissible because it is excessive or for any other reason:

(1) The penalty shall not be void but shall be automatically reformed to the maximum amount that would be permissible under applicable law;

(2) Any person who has paid a penalty that is reformed under this section may claim a credit or refund for the difference between the amount paid and the reformed amount.

Section 9. The commissioner may promulgate regulations to implement this chapter.

Summary:

This section, together with a related section, establishes a penalty on drug manufacturers who increase prices on a prescription drug in excess of the change in the Consumer Price Index.

Section 42 - Taxation of Products Containing Synthetic Nicotine

SECTION 42. Section 1 of chapter 64C of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Whenever used in this chapter or chapter 62C, unless the context otherwise requires, the word "cigarette" shall include within its meaning, without limitation, little cigars and smokeless tobacco; and the words "smokeless tobacco" shall mean any product containing or made or derived from tobacco or nicotine, whether the nicotine is naturally or synthetically derived, and that is intended for human consumption without combustion whether chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means including, but not limited to, snuff, snuff flour, cavendish, plug, twist and fine-cut tobaccos and nicotine pouches. The words "smokeless tobacco" shall exclude electronic nicotine delivery systems subject to tax under section 7E, and also shall exclude any product that has been approved by the United States Food and Drug Administration for the sale of or use as a tobacco or nicotine cessation product or for other medical purposes and is marketed and sold or prescribed exclusively for that approved purpose. The provisions of sections 29 to 38, inclusive, however, shall not apply to smokeless tobacco, as defined herein.

Summary:

This section subjects products containing synthetic nicotine to the same excise tax as tobacco products.

Section 43 - Deeds Excise Clarifications 1

SECTION 43. Chapter 64D of the General Laws is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. There shall be levied, collected and paid, for and in respect of the deeds, instruments and writings hereinafter mentioned and described, or for or in respect of the vellum, parchment or paper upon which such deeds, instruments or writings, or any of them are written or printed, the excise taxes herein specified:- Deed, instrument or writing, whereby any lands, tenements or other realty sold shall be granted, assigned, transferred or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his, her or their direction, when the consideration of the interest or property conveyed, exclusive of the value of any lien or encumbrance not to exceed \$1,000,000 remaining thereon at the time of the sale, exceeds \$100 and does not exceed \$500, \$2; and for each additional \$500 or fractional part thereof, \$2; provided, however, that in Barnstable county, the excise tax herein specified shall be \$2.50 for each \$500 or fractional part of said consideration, excluding a consideration of between \$0 and \$100. Notwithstanding any other provisions of this section or any other general or special law to the contrary, Nantucket county may disburse and expend deposits in said Funds for the purpose of facilities and programs related to law enforcement, including the planning, improving or constructing of police stations and other related facilities and programs. The excise tax shall also apply to a transfer or acquisition of a controlling interest in an entity with an interest in real property. In the case of such a transfer or acquisition, the consideration subject to the excise tax is the portion of the total consideration reasonably attributable to the real property, without deduction for the value of any lien or encumbrance remaining thereon at the time of the sale. Said excise tax shall be payable at the registry of deeds in the county in which the real property lies, regardless of whether the transfer or acquisition is evidenced by a deed, instrument, or other writing or whether such deed, instrument, or other writing is otherwise recorded. This chapter shall not apply to any instrument or writing given to secure a debt or to any deed, instrument or writing to which the commonwealth, a city or town of the commonwealth, or the United States or any of their agencies are a party.

For the purposes of this chapter, unless otherwise expressly stated, the following words shall have the following meanings:

"Interest in real property", includes, but is not limited to, an estate in fee simple, a beneficial interest, a life estate, a perpetual easement or a leasehold or sublease interest, ordinary or proprietary, but only where the sum of the term of the lease or sublease and any options for renewal, extension, or the like exceeds 49 years.

"Transfer or acquisition of a controlling interest", in the case of a corporation which has an interest in real property, occurs when a person, or group of persons acting in concert, transfers or acquires, directly or indirectly, including through the transfer or acquisition of an interest in another entity, a total of 50 per cent or more of the total combined stock of the corporation, by vote or value. In the case of any partnership, limited liability company, association, trust, or other non-corporate entity having an interest in real property, the transfer or acquisition of a controlling interest therein occurs when a person, or group of persons acting in concert, transfers or acquires, directly or indirectly, including through the transfer or acquisition of an interest in another entity, a total of 50 per cent or more of the capital, profits, or beneficial interest in the entity.

Persons are considered to be acting in concert when they have a relationship such that one person influences or controls the actions of another. Where the individuals or entities are not commonly controlled or owned, persons shall be considered to be acting in concert when the unity with which the sellers or purchasers have negotiated and will consummate the transfer of ownership interests indicates that they are acting as a single entity. If the transfers or acquisitions are completely independent, each seller selling or purchaser buying without regard to the identity of the other sellers or purchasers, then the transfers or acquisitions shall be treated as separate transfers or acquisitions.

For purposes of determining whether a controlling interest is transferred or acquired, only transfers or acquisitions of interests occurring on or after the effective date of this section shall be added together. Where there is a transfer or acquisition of an interest in an entity that has an interest in real property on or after the effective date, and subsequently there is a transfer or acquisition of an additional interest or interests in the same entity, the transfers or acquisitions shall be added together to determine if a transfer or acquisition of a controlling interest has occurred. No transfer or acquisition of an interest in an entity that has an interest in real property shall be added to another transfer or acquisition in the same entity if they occur more than 3 years apart, unless the transfers or acquisitions are so timed as part of a plan to avoid the excises herein specified.

Notwithstanding the foregoing, a bona fide pledge of stock, partnership or other interest as loan collateral, or any conveyance of publicly traded stock, partnership or other interest, shall not be considered subject to taxation under this chapter.

The commissioner shall promulgate regulations or other guidance to implement this section.

Summary:

This section, together with a related section, imposes deeds excise on transfers of controlling interests in entities holding real property and caps the deduction for assumed mortgages in calculating the deeds excise.

Section 44 - Deeds Excise Clarifications 2

SECTION 44. Said chapter 64D of the General Laws is hereby amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. The tax imposed by this chapter shall be paid by the person who makes or signs the deed, instrument or writing, or for whose benefit the same is made or signed. In the instance where there is a transfer or acquisition of a controlling interest in an entity with an interest in real property, the tax imposed by this chapter shall be paid by the person who conveys such interest, including but not limited to, a shareholder, partner, or other interest-holder transferring stock, a partnership interest, or another equity interest, respectively. The payment of the tax shall be denoted by adhesive stamps affixed to the deed, instrument or writing, or to the vellum, parchment or paper upon which it is written or printed, except that in the instance of a transfer or acquisition of a controlling interest in an entity with an interest in real property, the commissioner shall prescribe a form for such purpose that shall be recorded and shall evidence the recording stamp required by this section. The person using or affixing a stamp shall cancel the same by writing or stamping thereon the initials of his name and the date when the same is affixed or used, in such manner that it cannot be used again; provided, however, that the stamp shall not be so defaced as to prevent determination of its denomination and genuineness.

The word "person" shall, for the purposes of this chapter, unless the context requires otherwise, include political subdivisions of the commonwealth, individuals, partnerships, corporations, trusts, limited liability companies, societies, associations and any other form of unincorporated enterprise.

Summary:

This section, together with a related section, imposes deeds excise on transfers of controlling interests in entities holding real property and caps the deduction for assumed mortgages in calculating the deeds excise.

Section 45 - Room Occupancy Excise on Complimentary Hotel Rooms

SECTION 45. Section 1 of chapter 64G of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting, in line 88, after the word "business", the following words:- ; provided, further, that "rent" shall also include the fair market value of a room in a hotel on a complimentary or discounted basis; and provided further that the commissioner may issue regulations or other guidance to further explain the inclusion in rent of the fair market value of a room in a hotel provided on a complimentary or discounted basis, including the meaning of "fair market value" in the context of a complimentary or discounted room.

Summary:

This section imposes the room occupancy excise on the fair market value of complimentary rooms offered to occupants by a hotel.

Section 46 - Removing Sales Tax Exemption for Candy and Confectionary 1

SECTION 46. Section 6 of chapter 64H of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 94 and 95, the words "sugar and sugar products, candy and confectionery" and inserting in place thereof the following words:- sugar and sugar products other than candy and confectionery.

Summary:

This section, together with a related section, removes the sales and use tax exemption for candy and confectionary products.

Section 47 - Removing Sales Tax Exemption for Candy and Confectionary 2

SECTION 47. Said section 6 of said chapter 64H of the General Laws, as so appearing, is hereby amended by inserting, in line 96, after the words "cocoa products" the following words:- other than candy and confectionery.

Summary:

This section, together with a related section, removes the sales and use tax exemption for candy and confectionary products.

Section 48 - Estate Tax Clarifications

SECTION 48. Section 2A of chapter 65C of the General Laws, as so appearing, is hereby amended by striking out paragraphs (a) and (b) and inserting in place thereof the following 2 paragraphs:

(a) A tax is hereby imposed upon the transfer of the estate of each person dying on or after January 1, 1997 who, at the time of death, was a resident of the commonwealth. The amount of the tax shall be equal to the credit for state death taxes that would have been allowable to a decedent's estate as computed under section 2011 of the Code, as in effect on December 31, 2000, hereinafter referred to as the "credit". The credit shall be determined based on the value of the federal gross estate after such estate is increased by the value of any property: (i) not included in the federal gross estate; (ii) in which the decedent had at death a qualifying income interest for life described in subsection (c) of

section 3A; (iii) for which a deduction was allowed for Massachusetts estate tax purposes with respect to the transfer of such property to the decedent; and (iv) which is not real or tangible personal property located outside of the commonwealth at the time of death. If the federal gross estate of a person includes real or tangible personal property located outside of the commonwealth at the time of death, the credit shall be determined based on the value of the federal gross estate after such estate is reduced by the value of such real or tangible personal property located outside of the commonwealth and increased by the value of any property: (A) not included in the federal gross estate; (B) in which the decedent had at death a qualifying income interest for life described in subsection (c) of section 3A; and (C) for which a deduction was allowed for Massachusetts estate tax purposes with respect to the transfer of such property to the decedent; and (D) which is not real or tangible personal property located outside of the commonwealth at the time of death; provided, however, that for the purposes of calculating the federal taxable estate, no deduction shall be allowed that is attributable to such real or tangible personal property located outside of the commonwealth.

(b) A tax is hereby imposed upon the transfer of real property situated in this commonwealth and upon tangible personal property having an actual situs in this commonwealth of every person who at the time of his death was not a resident of this commonwealth. The amount of this tax is the amount of the credit calculated based upon a federal gross estate that is equal to the sum of: (i) the value of the estate's real or tangible personal property located in the commonwealth; and (ii) the value of any real or tangible property (A) not included in the federal gross estate, (B) in which the decedent had at death a qualifying income interest for life described in subsection (c) of section 3A, (C) for which a deduction was allowed for Massachusetts estate tax purposes with respect to the transfer of such property to the decedent, and (D) which is not located outside of the commonwealth at the time of death. Under this subsection, for the purposes of calculating the federal taxable estate, no deduction shall be allowed that is attributable to property other than such real or tangible personal property located in the commonwealth.

Summary:

This section clarifies the estate tax treatment of qualified terminable interest property and aligns the estate tax's treatment of resident and non-resident decedents with respect to out-of-state property.

Section 49 - Speed Camera Enforcement 2

SECTION 49. Section 17 of chapter 90 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 9 and 11, each time they appear, the words "for a distance of a quarter of a mile".

Summary:

This section, together with related sections, authorizes the Massachusetts Department of Transportation to establish a speed camera enforcement program to allow the Department and municipalities to enforce posted speed limits through speed cameras.

Section 50 - Speed Camera Enforcement 3

SECTION 50. Said section 17 of said chapter 90 of the General Laws, as so appearing, is hereby further amended by striking out, in line 13, the words "for a distance of one eighth of a mile".

Summary:

This section, together with related sections, authorizes the Massachusetts Department of Transportation to establish a speed camera enforcement program to allow the Department and municipalities to enforce posted speed limits through speed cameras.

Section 51 - Board of Appeals Modernization 2

SECTION 51. Section 28 of said chapter 90, as so appearing, is hereby amended by striking out, in line 2, the word "ten," and inserting in place thereof the following figure:- 30.

Summary:

This section, together with related sections, updates the Board of Appeals structure.

Section 52 - Board of Appeals Modernization 3

SECTION 52. Said section 28 of said chapter 90, as so appearing, is hereby further amended by inserting, in line 5, after the words "after a hearing" the following words:- or decision on written submissions.

Summary:

This section, together with related sections, updates the Board of Appeals structure.

Section 53 - Electronic Title 1

SECTION 53. Section 11A of chapter 90D of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following paragraph:-

Upon receiving notification of satisfaction of a security interest pursuant to section 24, the registrar may waive the issuance and mailing of the certificate of title to the owner, or a third party authorized by the registrar and requested by the lienholder. If the registrar waives the issuance and mailing of the certificate of title, the registrar shall ensure: (i) the owner or authorized third party may receive a paper certificate of title upon request; and (ii) there is a process or system established to ensure the owner or authorized third party may affect action that would otherwise be necessary upon the certificate of title. The registrar may promulgate rules and regulations related to this section.

Summary:

This section, together with related sections, establishes a process for electronic signature of titles and the transfer of electronic titles.

Section 54 - Electronic Title 2

SECTION 54. Section 24 of said chapter 90D, as so appearing, is hereby amended by adding the following paragraph:-

Notwithstanding subsection (a) of section 16, the registrar shall promulgate rules and regulations to establish an electronic process whereby a vehicle may be sold at retail, reassigned between dealers, or any other method of ownership transfer or sale approved by the registrar. The conveyor of the vehicle shall maintain, invalidate, or surrender the existing paper certificate of title, if applicable, upon completion of the transaction and update of the electronic certificate of title for a vehicle that is retailed, reassigned or transferred under this paragraph, in a form or format prescribed by the registrar.

Summary:

This section, together with related sections, establishes a process for electronic signature of titles and the transfer of electronic titles.

Section 55 - Electronic Title 3

SECTION 55. Said chapter 90D, as so appearing, is hereby further amended by adding the following section:-

Section 39. Electronic signatures as prescribed in section 9 of chapter 110G shall be accepted by the registrar through the electronic process prescribed under section 24. The registrar may promulgate rules and regulations for the requirements for electronic signature authentication, maintenance, invalidation or surrender of a secure paper title bearing an original signature.

Summary:

This section, together with related sections, establishes a process for electronic signature of titles and the transfer of electronic titles.

Section 56 - Speed Camera Enforcement 4

SECTION 56. The General Laws are hereby amended by inserting after chapter 90K the following chapter:-

CHAPTER 90L AUTOMATED ROAD SAFETY ENFORCEMENT PROGRAM

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

"Automated road safety camera system", an automated motor vehicle sensor device that produces digital photographs or video of a motor vehicle that commits a speed camera enforceable violation at the location where the automated motor vehicle sensor device is installed.

"Department", the Massachusetts Department of Transportation established in section 2 of chapter 6C.

"Enforcing authority", (i) the municipal entity designated by the city manager in a city with a Plan D or E form of government, the mayor in all other cities or the board of selectmen in a town, (ii) the department, or (iii) such other person, contractor or entity as the municipal entity or the department may designate to supervise and coordinate the administration of speed camera enforceable violations under this section.

"Secretary", the secretary of the Massachusetts Department of Transportation.

"Social and racial equity", efforts, policies, standards, processes and any other functions of government intended to ensure that patterns of discrimination and disparities of race, ethnicity and socioeconomic status, whether intentional or unintentional, are neither reinforced nor perpetuated and prevent the emergence and persistence of foreseeable future patterns of discrimination or disparities of race, ethnicity and socioeconomic status.

"Speed camera enforceable violation", exceeding the speed limit in violation of section 17, section 17C, section 17D, section 18 or section 18B of chapter 90 by 11 miles per hour or more over the posted speed limit; or within a school zone which may be established by a city or town as provided in section 2 of chapter 85 by 6 miles per hour or more over the posted speed limit when a school zone speed limit is in effect.

"Registrar", the registrar of motor vehicles.

Section 2. (a) The department's highway division shall establish by regulation the requirements, standards and processes for participation in the automated road safety camera program and issue a procurement pursuant to which enforcing authorities may obtain road safety camera systems and other related services to implement speed camera enforceable violations. An enforcing authority may install automated road safety camera systems as a means of promoting traffic safety. The automated road safety camera systems may be placed: (i) along any portion of any way within the city or town's control; or (ii) along any portion of any way within the control of the commonwealth, other than a limited access highway, with written permission from the department or the department of conservation and recreation. Nothing in this section shall be construed as limiting the authority of law enforcement to issue citations for speeding violations pursuant to section 2 of chapter 90C.

(b) An enforcing authority shall not employ more than 1 automated road safety camera system per 5,000 residents as measured by using the most recent census data. Plans for locating automated road safety camera systems shall be approved by the select board in a town, or by the city council and the mayor in a city. Nothing in this paragraph shall limit the department from employing an automated road safety camera system in a work zone, irrespective of the number of automated road safety camera systems in use in the city or town in which the work zone exists.

(c) Annually, not later than December 1, a participating city or town shall transmit a report to the department detailing each automated road safety camera system located in the city or town during the previous fiscal year. The report shall be in the form and manner determined by the department and shall include, but not be limited to: (i) a list of the locations of the automated road safety camera system in the city or town; (ii) the number of fines and warnings issued for each separate location; (iii) the number of fines and warnings successfully contested for each separate location's speed camera enforceable violations; and (iv) an analysis of speed and crash data at each separate location; and (v) a description of any other public safety impacts of the city or town's participation in the automated road safety enforcement program. The department shall post all reports received pursuant to this section on its website.

Section 3. (a) The fines and warnings imposed for speed camera enforceable violations, as accrued in a two-year look-back period, shall be as follows: (i) a warning for a first violation; (ii) \$25 for a second or subsequent violation unless subsection (a)(iii) applies; and (iii) \$100 for a second or subsequent violation of driving at a speed of 25 miles per hour or more over the posted speed limit. Enforcing authorities shall be responsible for tracking subsequent violations to ascertain the appropriate fee under this section.

(b) Except as provided in section 4, the registered owner of a motor vehicle shall be liable for the fine; provided, however, that a registered owner of a motor vehicle shall not be liable for the fine

imposed under this program for a speed camera enforceable violation if the operator of the motor vehicle was issued a citation for the violation in accordance with section 2 of chapter 90C.

(c) A certificate, or a facsimile thereof, based upon inspection of photographs and data produced by an automated road safety camera system and sworn to or affirmed by the enforcing authority shall be prima facie evidence of the facts contained therein.

(d) A speed camera enforceable violation issued by an enforcing authority under this program shall not be: (i) made part of the official record of the person upon whom such liability is imposed as provided in section 27 of chapter 90; or (ii) a conviction of a moving violation of the motor vehicle laws for the purpose of determining a surcharge on a motor vehicle premium pursuant to section 113B of chapter 175.

(e) An enforcing authority may hire and designate personnel as necessary or contract for services to implement this program through the procurement conducted by the highway division provided in clause (a) of section 2. Any such contract shall include a provision that all data collected from automated road safety camera systems is confidential and the exclusive property of the contracting enforcement authority, and shall prohibit the contractor from using, disclosing, selling or permitting access to data collected by an automated road safety camera system except as necessary to process speed camera enforceable violations and conduct reporting in accordance with this chapter.

(f)(1) The enforcing authority shall provide a notice of violation to the registered owner of a motor vehicle that is identified in photographs produced by an automated road safety camera system as evidence of a speed camera enforceable violation pursuant to this program. The notice shall include, but not be limited to: (i) a copy of the photographs produced by the automated road safety camera system and any other data showing the vehicle in the process of a speed camera enforceable violation; (ii) the registration number and state of issuance of the vehicle; (iii) the date, time and location of the alleged speed camera enforceable violation; (iv) the specific speed camera enforceable violation charged; (v) the speed limit and the actual speed of the vehicle; (vi) instructions for payment of the fine imposed pursuant to subsection (a); (vii) instructions on how to appeal the speed camera enforceable violation in writing and to obtain a hearing; and (viii) an affidavit form approved by the enforcing authority for the purposes of making a written appeal pursuant to subsection (h).

(2) In the case of a violation involving a motor vehicle registered in the commonwealth, the enforcing authority shall mail the notice of violation within 14 days of the violation to the address of the registered owner of the motor vehicle as listed in the records of the registrar. If a motor vehicle is registered under the laws of another state or country, the notice of violation shall be mailed within 21 days of the violation to the address of the registered owner as listed in the records of the official in the state or country that has charge of the registration of the motor vehicle. If the address is unavailable, it shall be sufficient for the enforcing authority to mail a notice of violation to the official in the state or country that has charge of the registration of the motor vehicle.

(3) The notice of violation shall be sent by first class mail. A manual or automatic record of mailing processed by or on behalf of the enforcing authority in the ordinary course of business shall be prima facie evidence thereof and shall be admitted as evidence in any judicial or administrative proceeding as to the facts contained therein.

(g) A registered owner of a motor vehicle shall not be liable for a speed camera enforceable violation under this program if the: (i) operator of the motor vehicle was operating an emergency vehicle; (ii) violation was necessary to allow the passage of an emergency vehicle; (iii) violation was incurred during a period of time in which the motor vehicle was reported to the police department of any state, city or town as having been stolen and had not been recovered before the time the violation occurred; (iv) operator of the motor vehicle was operating the motor vehicle under a rental or lease agreement and the registered owner of the motor vehicle is a rental or leasing company and has

complied with section 4; (v) operator of the motor vehicle was issued a citation for the violation in accordance with section 2 of chapter 90C; or (vi) violation was necessary to comply with any other law or regulation governing the operation of a motor vehicle.

(h) A registered owner of a motor vehicle to whom a notice of violation has been issued pursuant to this program may admit responsibility for the violation and pay the fine provided therein in accordance with the instructions in the notice of violation. Payment of the established fine shall operate as the final disposition of a speed camera enforceable violation; provided, however, that payment by a registered owner of a motor vehicle shall operate as the final disposition of the violation as to any other registered owner of the same motor vehicle for the same violation.

(i) Not more than 60 days after a speed camera enforceable violation under this chapter, a registered owner of a motor vehicle may contest responsibility for the violation in writing by mail or online. The registered owner shall provide the enforcing authority with a signed affidavit, in a form approved by the enforcing authority, stating the: (i) reason for disputing the violation; (ii) full legal name and address of the registered owner of the motor vehicle; and (iii) full legal name and address of the operator of the motor vehicle at the time the violation occurred. The registered owner may include signed statements from witnesses, including the names and addresses of witnesses, supporting the registered owner's defense. Not more than 21 days after receipt of the signed affidavit, the enforcing authority or the hearing officer shall send the decision of the hearing officer, including the reasons for the outcome, by first class mail to the registered owner. If the registered owner is found responsible for the violation, the registered owner shall pay the fine in the manner described in subsection (g) not more than 14 days after the issuance of the decision or request further judicial review pursuant to section 14 of chapter 30A.

(j) In lieu of contesting responsibility for a violation in writing or online pursuant to subsection (h) and not more than 60 days after a violation under this program, a registered owner of the motor vehicle may request a hearing in accordance with the instructions in the notice of violation to contest responsibility for a speed camera enforceable violation. A hearing request shall be made in writing by mail or online. Upon receipt of a hearing request, the enforcing authority shall schedule the matter before a hearing officer. The hearing officer may be an employee of the enforcing authority or such other person as the enforcing authority may designate. Written notice of the date, time and place of the hearing shall be sent by first class mail to each registered owner of the motor vehicle. The hearing shall be informal, the rules of evidence shall not apply and the decision of the hearing officer shall be final subject to judicial review pursuant to section 14 of chapter 30A. Not more than 21 days after the hearing, the enforcing authority or the hearing officer shall send the decision of the hearing officer, including the reason for the outcome, by first class mail to the registered owner. If the registered owner is found to be responsible for the speed camera enforceable violation, the registered owner shall pay the fine in the manner described in subsection (g) not more than 14 days after the issuance of the decision or request further judicial review pursuant to said section 14 of said chapter 30A.

(k) The enforcing authority may avail itself of the registrar's non-renewal program when a registered owner of a motor vehicle to whom a notice of a speed camera enforceable violation has been issued: (i) fails to contest the responsibility for a violation pursuant to subsection (h) or subsection (i) and fails to pay the fine in the notice in accordance with subsection (g) within 60 days of the violation; or (ii) is found responsible for the violation and does not pay the fine in accordance with subsection (h) or subsection (i). The enforcing authority may at any time but not later than two years after the initial fine issuance was made, transmit to the registrar, in such form as approved by the registrar, notice of such nonpayment, specifying the name and address of the person to whom the fine is assessed, the amount of the fine due and any other costs relative thereto, and such information as the registrar may require; provided, however, that no notice shall be transmitted to the registrar under this section at a time when there is pending, before either the enforcing authority or a court, a duly filed appeal of the fine. Upon receipt of such notification of nonpayment the registrar shall place the matter on record and not renew the registration of the motor vehicle to which a notice of a speed camera

enforceable violation has been issued to the registered owner, nor allow an exchange of the registration of such vehicle nor issue a new registration of such vehicle to the person to whom the unpaid fine was assessed until after notice from the enforcing authority that the matter has been disposed of in accordance with the requirements herein. Upon such notification of nonpayment to the registrar, an additional \$20 charge payable to the registrar of motor vehicles shall be assessed against the registered owner of said vehicle to be collected by the enforcing authority to be transferred to the registry of motor vehicles as part of the non-renewal process. It shall be the duty of the enforcing authority to notify the registrar that such matters have been disposed of in accordance with the requirements herein; provided however, that a certified receipt of full and final payment from the enforcing authority shall also serve as a legal notice to the registrar that the matter has been resolved. The registrar shall approve such forms as they deem necessary to implement this section and said forms shall be printed and used by the enforcing authorities.

Section 4. (a) Notwithstanding section 3, if the registered owner of a motor vehicle is a person or entity engaged in the business of leasing or renting motor vehicles and the motor vehicle was operated under a rental or lease agreement at the time of the speed camera enforceable violation, this section shall be applicable and the registered owner shall not be liable for any unpaid fines if the registered owner has complied with the requirements of this section.

(b) The enforcing authority shall provide notice in writing of each speed camera enforceable violation to the registered owner of a motor vehicle if a motor vehicle owned by the registered owner is involved in a speed camera enforceable violation.

(c) Not more than 45 days after the violation, the registered owner shall furnish to the enforcing authority, in writing, the name and address of the lessee or rentee of the motor vehicle at the time of the speed camera enforceable violation, the lessee's or rentee's driver's license number, the state that issued the driver's license and the lessee's or rentee's date of birth.

(d) Upon receipt of the information required under subsection (c), the enforcing authority shall issue a notice of a speed camera enforceable violation to the lessee or rentee in the form prescribed by section 3 and the lessee or rentee shall be liable for the violation.

(e) The enforcing authority may avail itself of the registrar's non-renewal program as provided in subsection (k) hereof if the lessee or rentee to whom a notice of violation has been issued: (i) fails to contest the responsibility for a speed camera enforceable violation pursuant to either subsection (i) or subsection (j) of section 3 and fails to pay the fine in the notice in accordance with subsection (h) of said section 3 within 90 days of the violation; or (ii) is found responsible for the violation and does not pay the fine in accordance with said subsection (i) or said subsection (j) of said section 3, provided, however, that if the vehicle owner furnished the information under subsection (c), such non-renewal shall only apply to the license to operate of the lessee or rentee and not the registration of the vehicle.

Section 5. (a) An enforcement authority shall install a reasonable distance away from each road safety camera system an unobstructed sign notifying the public that an automated road safety camera system is in use.

(b) An enforcing authority shall make a public announcement and conduct a public awareness campaign concerning its use of automated road safety camera systems beginning not less than 60 days before the first such automated road safety camera system is put into use; provided, however, that an enforcing authority may install but shall not activate automated road safety camera systems during the 60-day time period; provided further, that no further public awareness campaign shall be required for additional automated road safety camera systems that may be added in the participating city or town.

Section 6. (a) The compensation paid to the manufacturer or vendor of an automated road safety camera system shall not be based on the number of speed camera enforceable violations issued or the revenue generated by the automated road safety camera system.

(b) Not less than every 90 days, a city or town that adopts this chapter, or their designee, shall inspect the automated road safety camera system to verify that the automated road safety camera system are correctly calibrated. Not less than annually, an independent professional engineer registered in the commonwealth or an independent laboratory shall verify that the automated road safety camera system are correctly calibrated. Prior to the installation of an automated road safety camera system in a work zone, the department or their designee shall inspect the automated road safety camera system to verify that the automated road safety camera system is correctly calibrated.

Section 7. (a) An automated road safety camera system shall only take photographs when a speed camera enforceable violation occurs. Photographs and video shall be destroyed not more than 48 hours after the final disposition of a speed camera enforceable violation.

(b) A photograph or video taken pursuant to this chapter shall not be discoverable in any judicial or administrative proceeding, other than in a proceeding held pursuant to this chapter, without a court order. A photograph or video taken pursuant to this chapter shall not be admissible in any judicial or administrative proceeding, other than in a proceeding to adjudicate liability for a violation of this chapter, without a court order. A court shall not order a release of a photograph or video taken pursuant to this chapter unless the photograph or video establishes or undermines a finding of a moving violation and the speed camera enforceable violation is material as to a finding of civil or criminal liability.

(c) Photographs, video and other personal identifying information collected by a city or town pursuant to this chapter shall not be a public record under clause twenty-sixth of section 7 of chapter 4 or chapter 66. Each enforcing authority shall maintain the confidentiality of all information including, but not limited to, photographs or other recorded images and credit and account data, relative to the registered vehicle or registered owner of the vehicle subject to a speed camera enforceable violation. Such information shall be used for enforcement purposes only with respect to speed camera enforceable violations under this act.

(d) An automated road safety camera system shall not be utilized to take a frontal view photograph of a motor vehicle operator committing a speed camera enforceable violation or other occupants of the vehicle. A frontal view photograph of a motor vehicle committing a speed camera enforceable violation taken by an automated road safety camera system that captures the operator or occupants of the vehicle shall not be discoverable or admissible in any judicial or administrative proceeding and shall not be used as the basis for a speed camera enforceable violation under this chapter. To the extent practicable, additional efforts shall be made to ensure that photographs produced by an automated road safety camera system shall not be used to identify the vehicle operator, the passengers or the contents of the vehicle. The use of facial recognition technology in conjunction with an automated road safety camera system is prohibited.

(e) A city or town or a manufacturer or vendor of an automated road safety camera system may not use, disclose, sell or permit access to data collected by an automated road safety camera system except as necessary to process speed camera enforceable violations and fulfill reporting requirements in accordance with this chapter.

Section 8. An enforcing authority may recover costs reasonably related to the implementation and operation of an automated road safety camera system including, but not limited to, costs associated with: (i) purchasing, maintaining and operating the automated road safety camera system; (ii) issuing notices of speed camera enforceable violations; (iii) holding hearings for appeals of speed camera enforceable violations; (iv) notifying the registrar of a failure to pay a fine under this program; (v) fulfilling reporting requirements in accordance with this chapter and (vi) collecting a fine; provided,

however, that net revenues collected by participating cities and towns pursuant to this program shall be deposited in the Massachusetts Transportation Trust Fund established in section 4 of chapter 6C.

Section 9. A city or town shall not implement this program unless the city or town has submitted a plan for the implementation of automated road safety camera systems to the department and the department has approved the plan. The plan submitted to the department shall include, but shall not be limited to, data and analysis of the traffic and safety history of the locations where automated road safety camera systems are proposed to be located, the discussion of social and racial equity impacts of the plan and steps the municipality shall take to ensure social and racial equity in the implementation of the plan. Nothing in this section shall limit the number of work zones in which the department may install automated road safety camera systems.

Summary:

This section, together with related sections, authorizes the Massachusetts Department of Transportation to establish a speed camera enforcement program to allow the Department and municipalities to enforce posted speed limits through speed cameras.

Section 57 - Universal Adult Vaccine Program 1

SECTION 57. Subsection (c) of section 24N of chapter 111 of the General Laws, as amended by section 111 of chapter 140 of the acts of 2024, is hereby amended by striking out the figure "7" and inserting in place thereof the following figure:- 9.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 58 - Universal Adult Vaccine Program 2

SECTION 58. Said subsection (c) of said section 24N of chapter 111 of the General Laws, as so amended, is hereby amended by inserting after the word, "Physicians", the first time it appears, the following words:- 2 of whom shall both be physicians licensed to practice in the commonwealth and have expertise in the area of adult vaccines.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer adult vaccine distribution.

Section 59 - Universal Adult Vaccine Program 3

SECTION 59. Said section 24N of said chapter 111 of the General Laws, as so amended, is hereby further amended by striking out after the words "vaccines. The council", and inserting in place thereof the following words:- vaccines. The commissioner.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 60 - Universal Adult Vaccine Program 4

SECTION 60. Said subsection (c) of said section 24N of said chapter 111 of the General Laws, as so amended, is hereby further amended by striking out the word "childhood", the second and third time it appears.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 61 - Universal Adult Vaccine Program 5

SECTION 61. Said subsection (c) of said section 24N of said chapter 111 of the General Laws, as so amended, is hereby further amended by inserting after the word, "account," the following words:- immunizations routinely recommended by the U.S. Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices,.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 62 - Universal Adult Vaccine Program 6

SECTION 62. Said chapter 111 of the General Laws is hereby amended by inserting after section 24N the following section:-

Section 24N 1/2. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Adult", individuals who are at least 19 years of age and younger than 65 years of age.

"Estimated vaccine cost", the estimated cost over the course of a fiscal year for the purchase, storage and distribution of vaccines for all adults in the commonwealth.

"MassHealth", the medical assistance and benefit programs administered by the MassHealth agency pursuant to Title XIX of the Social Security Act (42 U.S.C. § 1396a et seq.), Title XXI of the Social Security Act (42 U.S.C. § 1397aa et seq.), M.G.L. c. 118E, and other applicable laws and waivers to provide and pay for medical services to eligible members.

"Routine adult immunizations", immunizations for adults as defined in this section which shall include but need not be limited to immunizations that protect against respiratory diseases such as SARS-CoV-2, influenza and Respiratory Syncytial Virus (RSV) in addition to other immunizations recommended by the vaccine program advisory council and approved by the commissioner.

"Total non-federal program cost", the estimated annual cost of vaccines needed for routine adult immunizations for adults in the commonwealth less the amount of federal revenue available to the commonwealth for purchase, storage, distribution and administration of the vaccines.

(b) There shall be established in the commonwealth a separate, non-budgeted special revenue fund known as the Adult Vaccine Purchase Fund, which shall be administered by the commissioner of public health or a designee. Amounts credited to the fund shall be expended, without further appropriation, to support a vaccine purchase system for routine adult immunizations as defined in this section.

The fund shall be credited with: (i) all appropriations directed to the fund; (ii) all monies transferred from the executive office of health and human services pursuant to section 66 of chapter 118E; (iii) any voluntary contributions to the fund including, but not limited to, contributions from MassHealth, third-party payers or third-party administrators, as defined in section 1 of chapter 12C; and (iv) any interest earnings on such monies. Amounts credited to the fund shall be expended, without further appropriation, to cover the costs to purchase, store and distribute vaccines for routine adult immunizations and to support a vaccine clinic management platform.

Funds shall be expended solely to cover total non-federal program costs; provided, however, that the amount to be expended for storing and distributing vaccines for routine adult immunizations, if such costs are not covered by federal contributions, and for the costs of supporting a vaccine clinic management platform and programs to promote equitable access to vaccine, shall not exceed 10 per cent of the total amount of the fund expended for the purchase of vaccines needed for routine adult immunizations.

The department may incur expenses, and the comptroller may certify for payment, amounts in anticipation of the most recent estimate of expected receipts, as certified by the secretary of administration and finance; provided, however, that no expenditure shall be made from the fund which shall cause the fund to be in deficit at the close of a fiscal year. Any balance in the fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not be transferred to any other fund or revert to the General Fund.

The commissioner of public health or a designee shall annually report the amount of funds collected and any expenditures made from the fund to the clerks of the house of representatives and senate and to the house and senate committees on ways and means, the house and senate chairs of the joint committee on public health and the house and senate chairs of the joint committee on health care financing.

(c) The vaccine program advisory council established in section 24N shall recommend the vaccines to be included in the program and the commissioner shall calculate the amount needed in the fund each fiscal year for routine adult immunizations by calculating the total non-federal program cost. The council shall make recommendations to the commissioner on whether the commissioner may authorize provider choice of more than 1 comparable brand or type for a routine adult immunization vaccine. In its recommendations, the council shall examine the feasibility, costs and benefits of authorizing provider choice, provide a schedule of the cost of each comparable brand or type of a vaccine recommended for provider choice and demonstrate that the estimated vaccine cost of authorizing provider choice would not be substantially greater than the estimated vaccine cost of purchasing a single brand or type of a vaccine. The commissioner of public health shall determine the final vaccines to be purchased.

(d) To the extent health care providers as defined by section 1 who are otherwise legally authorized to administer vaccines and pharmacies licensed in accordance with section 39 of chapter 112 are otherwise administering vaccines, said health care providers and licensed pharmacies shall accept and shall administer vaccines funded by the Adult Vaccine Purchase Fund. Nothing in this section shall prohibit the department from allowing other providers legally authorized to administer vaccines from requesting to obtain and use vaccines funded by said trust.

(e) The department may adopt rules and regulations as necessary to implement the universal purchase and distribution system under this section and other applicable state and federal laws.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 63 - Universal Adult Vaccine Program 7

SECTION 63. Subsection (a) of section 24N 1/2 of chapter 111 of the General Laws, as inserted by section 62, is hereby amended by striking out the words "individuals who are at least 19 years of age and younger than 65 years of age" and inserting in place thereof the following words:- individuals who are 19 years of age and older.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 64 - Department of Public Health Determination of Need Fees

SECTION 64. Section 25C of chapter 111 of the General Laws, as so appearing is hereby amended by striking out, in line 126, the figure "0.2" and inserting in place thereof the following figure:- 0.7.

Summary:

This section amends the Department of Public Health's Determination of Need fee percentage.

Section 65 - Pappas Pediatric Rehabilitation Program Consolidation 1

SECTION 65. Sections 62I to 62S, inclusive, of chapter 111 of the General Laws are hereby repealed.

Summary:

This section, together with related sections, facilitates the consolidation of the Pappas Pediatric Rehabilitation Program.

Section 66 - Pappas Pediatric Rehabilitation Program Consolidation 2

SECTION 66. Chapter 111 of the General Laws is hereby amended by inserting after section 62I the following section:

Section 62I1/2. The department shall maintain a pediatric program at facilities operated by the department under chapter 111 or chapter 122. The pediatric program shall be maintained by the department for the care and treatment of pediatric patients with complex medical conditions, including, but not limited to, those patients with medical, intellectual and behavioral conditions. The commissioner shall be authorized to establish inpatient or outpatient services, including, but not limited to, medical, surgical, restorative, rehabilitative or chronic services, mental health and mental retardation services,

extended care services, dental services, rehabilitative therapy services, family planning services, services for treatment of alcoholism and drug addiction, skilled nursing care services, intermediate care facility services and residency care services at any of the public health hospital facilities. The commissioner shall have general supervision of the pediatric services provided at facilities operated pursuant to this chapter.

Summary:

This section, together with related sections, facilitates the consolidation of Pappas Rehabilitation Children's Hospital Program.

Section 67 - Pappas Pediatric Rehabilitation Program Consolidation 3

SECTION 67. Section 63A of chapter 111, as appearing in the 2022 Official Edition, is hereby amended by inserting, after the word "person", in line 4, the following sentence:- The public health hospitals, including, but not limited to, Western Massachusetts hospital, shall be authorized to provide hospital level pediatric care that aligns with the admission criteria for the designated public health hospital, as well as required educational services.

Summary:

This section, together with related sections, facilitates the consolidation of the Pappas Pediatric Rehabilitation Program.

Section 68 - Residential Rental Broker Fees 1

SECTION 68. Section 87DDD1/2 of chapter 112 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following 2 sentences:- Such licensed broker or salesperson may solely contract with a prospective tenant to find for rent residential real property for a tenant and present an offer to lease to the landlord or landlord's agent and negotiate on behalf of the tenant or may solely contract with a landlord or landlord's agent to find a tenant for a property. Any fee shall only be paid by the party, lessor or tenant who originally engaged and entered into a contract with the licensed broker or salesperson.

Summary:

This section, together with a related section, requires that any broker fee for a residential rental property be paid by the individual contracting with the broker.

Section 69 - Senior Care Options Dual Enrollment 1

SECTION 69. Section 9D of chapter 118E of the General Laws, as appearing in the 2022 Official Edition, is amended by striking out, in line 21, the words "or MassHealth only".

Summary:

This section, together with related sections, limits enrollment in the Senior Care Options Program to MassHealth members who are dually eligible for Medicare and aged 65 and older.

Section 70 - Senior Care Options Dual Enrollment 2

SECTION 70. Said section 9D of said chapter 118E, as so appearing, is amended by striking out, in line 31, the word "or" and inserting in place thereof the following word:- and.

Summary:

This section, together with related sections, limits enrollment in the Senior Care Options Program to MassHealth members who are dually eligible for Medicare and aged 65 and older.

Section 71 - Senior Care Options Dual Enrollment 3

SECTION 71. Said section 9D of said chapter 118E, as so appearing, is hereby amended by striking out, in lines 55 to 56, the words "or only eligible for benefits under Title XIX of the Social Security Act".

Summary:

This section, together with related sections, limits enrollment in the Senior Care Options Program to MassHealth members who are dually eligible for Medicare and aged 65 and older.

Section 72 - Direct Negotiations for Rebates on Certain Drugs and Non-Drug Products

SECTION 72. Chapter 118E of the General Laws is hereby amended by inserting after section 12A the following section:-

Section 12B. Notwithstanding any general or special law to the contrary, the secretary of health and human services may directly negotiate rebate agreements with manufacturers of non-drug products and drugs that are not covered outpatient drugs under 42 U.S.C. § 1396r-8 if such agreements maximize value to the commonwealth; provided, however, that the secretary shall not be subject to any otherwise applicable requirements set forth in 801 CMR 21.00 or any successor regulation. Such agreements may be based on the value, efficacy or outcomes of the non-drug product or drug.

Summary:

This section allows MassHealth to directly negotiate rebate agreements for drugs not subject to the Medicaid Drug Rebate Program and for certain non-drug products.

Section 73 - Personal Care Attendant Program Sustainable Growth

SECTION 73. Chapter 118E of the General Laws is hereby amended by inserting after section 13L, the following section:-

Section 13M. The executive office shall implement cost containment measures annually to ensure that the annual cost growth of the personal care attendant program does not exceed the health care cost growth benchmark established under section 9 of chapter 6D.

No later than January 31 of each year, the executive office shall file a report with the executive office for administration and finance and the house and senate committees on ways and means, detailing the following: (i) actual cost of personal care attendant services, in both fee-for-service and managed care, for the prior state fiscal year; (ii) projected cost of personal care attendant services, in both fee-for-service and managed care, in the current state fiscal year; (iii) projected cost of personal

care attendant services, in both fee-for-service and managed care, in the next state fiscal year; and (iv) cost containment measures that will be implemented in regulation for the upcoming fiscal year to ensure the cost growth of the personal care attend program does not exceed the health care cost growth benchmark established under section 9 of chapter 6D. Said report shall also be posted on the website of the executive office.

Summary:

This section requires MassHealth to implement measures to ensure the cost growth of the Personal Care Attendant Program does not exceed the annual health care benchmark established by the Health Policy Commission.

Section 74 - Nursing Facility User Fee Cap

SECTION 74. Subsection (b) of section 63 of chapter 118E of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 27 and 28, the words "the lesser of \$240,000,000, or an amount" and inserting in place thereof the following words:- "an amount less than or".

Summary:

This section allows the Executive Office of Health and Human Services to assess nursing facilities up to the maximum federally allowed percentage of revenue cap.

Section 75 - Universal Adult Vaccine Program 8

SECTION 75. Section 64 of chapter 118E, as most recently amended by section 122 of chapter 140 of the acts of 2024, is hereby amended by striking out the definition "Immunization revenue amount" and inserting in place thereof the following definition:-

"Immunization revenue amount", the estimated costs (i) to purchase, store and distribute vaccines for routine childhood immunizations and administer the Vaccine Purchase Fund, established in section 24N of chapter 111, (ii) to purchase, store and distribute vaccines for routine adult vaccinations and administer the Adult Vaccine Purchase Trust Fund established in section 24N 1/2 of chapter 111, (iii) to administer the computerized immunization registry, established in section 24M of chapter 111 and (iv) that take into consideration the limitations on expenditures described in subsection (b) of section 24N and subsection (b) of section 24N 1/2 of chapter 111, as well as any anticipated surplus or deficit in said Vaccine Purchase Fund and said Adult Vaccine Purchase Trust Fund, but excluding any costs anticipated to be covered by federal contribution."

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 76 - Universal Adult Vaccine Program 9

SECTION 76. Section 66 of said chapter 118E, as most recently amended by section 126 of chapter 140 of the acts of 2024, is hereby amended by inserting after the words "chapter 111" the following words:- "and the Adult Vaccine Purchase Trust Fund established in section 24N 1/2 of chapter 111, as

applicable, as determined by the executive office of health and human services in consultation with the department of public health each year".

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 77 - Universal Adult Vaccine Program 10

SECTION 77. Said section 66 of said chapter 118E, as most recently amended by section 127 of chapter 140 of the acts of 2024, is hereby amended by inserting after the words "chapter 111" the following words:- "and the Adult Vaccine Purchase Trust Fund established in section 24N 1/2 of chapter 111, as applicable, as determined by the executive office of health and human services in consultation with the department of public health each year".

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 78 - Pharmacy Assessment

SECTION 78. Chapter 118E of the General Laws, as so appearing, is hereby further amended by inserting after section 67A the following section:-

Section 67B. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Assessment", the per-prescription fee described under subsection (b).

"Pharmacy", a pharmacy that is licensed by the board of registration in pharmacy in accordance with the provisions of chapter 112 or by the department of public health in accordance with the provisions 105 CMR 700.004: Registration Requirements, including, but not limited to, retail pharmacies, hospital pharmacies, compounding pharmacies, specialty pharmacies and pharmacies located at federally-qualified health centers.

"Prescription", a prescription drug dispensed to a patient pursuant to a valid electronic, written, or oral prescription as defined in section 1 of chapter 94C.

"Revenues received by the pharmacy", net patient revenue attributable to the assessed permissible class of health care items or services as defined 42 C.F.R. § 433.68(f)(3)(i)(A).

(b) Each pharmacy shall pay an assessment per prescription dispensed in Massachusetts. The assessment shall not exceed the lesser of: (i) \$2 per prescription dispensed in Massachusetts or (ii) an amount equal to 6 per cent of the revenues received by the pharmacy for the applicable period in Massachusetts. A pharmacy's liability for the assessment shall, in the case of a transfer of ownership, be assumed by the successor in interest to the pharmacy.

The assessment shall be implemented as a broad-based health care-related fee as defined in 42 U.S.C. § 1396b(w)(3)(B). The assessment shall be paid to the executive office quarterly. The executive office may promulgate regulations that authorize the assessment of interest on any unpaid

liability at a rate not to exceed an annual percentage rate of 18 per cent and late fees at a rate not to exceed 5 per cent per month.

(c) The executive office shall prepare and publicly post a form on which each pharmacy shall report quarterly: (i) its total prescriptions dispensed; (ii) the revenues received by the pharmacy received during reporting period, if the pharmacy calculates the assessment owed as less than \$2 per prescription; and (iii) the calculated assessment due. The executive office may require additional reports, including, but not limited to, monthly prescription data and revenue data, as it considers necessary to monitor collections and compliance.

(d) The executive office shall have the authority to inspect and copy the records of a pharmacy to audit its calculation of the assessment and reported revenue. In the event that the executive office determines that a pharmacy has underpaid its assessment amount, the executive office shall notify the pharmacy of the amount due. The executive office may impose per diem penalties if a pharmacy fails to produce documentation as requested by the executive office. If the executive office determines that a pharmacy has overpaid its assessment amount, the executive office shall notify the pharmacy of the amount and may credit the overpayment to the next assessment payment owed or may retain the overpayment to satisfy other amounts owed by the pharmacy to the executive office or the office of Medicaid. Any pharmacy that knowingly submits false or misleading information in any required report shall be subject to a civil penalty of not more than \$25,000 for each violation.

(e) If a pharmacy is aggrieved by a decision of the executive office as to the amount due, the pharmacy may file an appeal to the division of administrative law appeals within 60 days of the date of the notice of underpayment or the date the notice was received, whichever is later. The division of administrative law appeals shall conduct each appeal as an adjudicatory proceeding under chapter 30A, and a pharmacy aggrieved by a decision of the division of administrative law appeals shall be entitled to judicial review under section 14 of said chapter 30A.

(f) The executive office may enforce this section by notifying the board of registration in pharmacy of unpaid assessments, and the board shall take prompt steps to revoke the license of, or impose a limitation on operations for, a pharmacy that fails to remit delinquent fees as directed by the executive office. The executive office may also enforce this section by: (i) offsetting payments from the office of Medicaid against the claims for payment by the delinquent pharmacy, against other pharmacies with a common ownership as the delinquent pharmacy or against any successor in interest to those pharmacies, in the amount of the delinquent fees owed, including any interest, penalties or reasonable attorneys' fees; (ii) creating, after demand for payment, a lien in favor of the commonwealth in an amount not to exceed the delinquent fees owed, including any interest, penalties or reasonable attorneys' fees, encumbering the building in which the pharmacy is located, the real property upon which the pharmacy is located, any fixtures, equipment or goods used in the operation of the facility or any real property in which the pharmacy holds an interest; (iii) requiring pharmacies with a history of late payment or non-compliance to establish an escrow account or provide other security in a form and amount deemed sufficient by the executive office to ensure future compliance; provided, however, that any lien created under this section shall be prior to any mortgage or lien held by any person: (A) with an ownership interest in the pharmacy; (B) who directly or indirectly controls, or has the ability to control to any significant degree, the management or policies of the pharmacy; or (C) who is related to the pharmacy by any significant degree of common ownership or common control; (iv) any other mechanisms set by regulation as described in subsection (g).

(g) The executive office shall promulgate regulations necessary to implement this section.

Summary:

This section allows MassHealth to implement an assessment on each outpatient prescription dispensed by a pharmacy.

Section 79 - Residential Rental Broker Fees 2

SECTION 79. Section 15B of chapter 186 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the word "pay", in line 17, the following words:- , to the lessor or to any agent of the lessor,.

Summary:

This section, together with a related section, requires that any broker fee for a residential rental property be paid by the individual contracting with the broker.

Section 80 - Victim Compensation Program Transfer 2

SECTION 80. Section 4 of chapter 258B of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following 2 subsections:-

(f) administer the provisions of chapter 258C through the Massachusetts office for victim assistance.

(g) The executive director, appointed by the board, shall have the authority to promulgate rules and regulations pursuant to chapter 30A as may be necessary to carry out this chapter.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 81 - Victim Compensation Program Transfer 3

SECTION 81. Section 1 of chapter 258C of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the definition of "Catastrophic injury" and inserting in place thereof the following 2 definitions:-

"Agency", the Massachusetts office for victim assistance, which administers the provisions of chapter 258B on behalf of the victim and witness assistance board.

"Catastrophic injury", an injury that creates a permanent impairment for the victim, including: (i) a spinal cord injury involving paralysis; (ii) amputation of an arm, hand, foot or leg; (iii) severe brain injury; (iv) second or third degree burns on 25 per cent or more of the total body surface or third degree burns on 5 per cent or more of the face and hands; (v) total or functional loss of vision or hearing; (vi) severe communication, sensory or motor disturbances; or (vii) any other injury that would otherwise qualify pursuant to this chapter.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 82 - Victim Compensation Program Transfer 4

SECTION 82. Said section 1 of said chapter 258C, as so appearing, is hereby amended by striking out the definition of "Department".

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 83 - Victim Compensation Program Transfer 5

SECTION 83. Said section 1 of said chapter 258C, as so appearing, is hereby further amended by striking out, in lines 32, 64 and 65, each time it appears, the word "his" and inserting in place thereof, in each instance, the following words:- the victim's.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 84 - Victim Compensation Program Transfer 6

SECTION 84. Said section 1 of said chapter 258C, as so appearing, is hereby further amended by striking out the definition of "Division" and inserting in place thereof the following definition:-

"Director", the executive director of the Massachusetts office for victim assistance or the executive director's designee.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 85 - Victim Compensation Program Transfer 7

SECTION 85. Section 2 of said chapter 258C, as so appearing, is hereby amended by striking out, in lines 2, 9, 29, 40 and 41, each time it appears, the word "division" and inserting in place thereof, in each instance, the following word:- agency.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 86 - Victim Compensation Program Transfer 8

SECTION 86. Said section 2 of said chapter 258C, as so appearing, is hereby further amended by striking out, in line 17, the word "he", and inserting in place thereof the following words:- the claimant.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 87 - Victim Compensation Program Transfer 9

SECTION 87. The second sentence of subclause (B) of clause (1) of subsection (b) of section 3 of chapter 258C of the General Laws, as amended by chapter 140 of the acts of 2024, is hereby amended by striking out the word "program".

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 88 - Victim Compensation Program Transfer 10

SECTION 88. Subclause (D) of clause (2) of said subsection (b) of said section 3 of said chapter 258C, as so amended, is hereby further amended by striking out, in in the first and fourth sentence, each time it appears, the word "he" and inserting in place thereof, in each instance, the following words:- the victim.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 89 - Victim Compensation Program Transfer 11

SECTION 89. Subclause (D) of said clause (2) of said subsection (b) of said section 3 of said chapter 258C, as so amended, is hereby further amended by striking out, in the first sentence, the word "his", and inserting in place thereof the following words:- the victim's.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 90 - Victim Compensation Program Transfer 12

SECTION 90. Said chapter 258C of the General Laws is hereby further amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. (a) The agency shall administer the provisions of this chapter. The director may appoint and remove such investigative, legal, clerical or other staff as the work of the agency requires.

(b) The director may promulgate rules and regulations pursuant to chapter 30A as may be necessary to carry out the provisions of this chapter.

(c) The director may apply for and receive sums which may be transmitted to the victim compensation fund maintained by the treasurer and for any other such funds as may become available to administer the requirements of this chapter.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 91 - Victim Compensation Program Transfer 13

SECTION 91. Section 5 of said chapter 258C, as so appearing, is hereby amended by striking out, in line 4, the word "he", and inserting in place thereof the following words:- the claimant.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 92 - Victim Compensation Program Transfer 14

SECTION 92. Said section 5 of said chapter 258C, as so appearing, is hereby further amended by striking out, in lines 6, 18, 20 and 26, each time it appears, the word "division" and inserting in place thereof, in each instance, the following word:- agency.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 93 - Victim Compensation Program Transfer 15

SECTION 93. Said section 5 of said chapter 258C, as so appearing, is hereby further amended by striking out, in line 22, the word "division", and inserting in place thereof the following words:- agency, through the attorney general,.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 94 - Victim Compensation Program Transfer 16

SECTION 94. Said section 5 of said chapter 258C, as so appearing, is hereby further amended by striking out, in line 33, the word "him", and inserting in place thereof the following word:- the person.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 95 - Victim Compensation Program Transfer 17

SECTION 95. Said section 5 of said chapter 258C, as so appearing, is hereby further amended by striking out, in line 33, the words "attorney general", and inserting in place thereof the following words:- agency, through the attorney general,.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 96 - Victim Compensation Program Transfer 18

SECTION 96. Section 6 of said chapter 258C, as so appearing, is hereby amended by striking out, in line 2, the word "division", and inserting in place thereof the following word:- agency.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 97 - Victim Compensation Program Transfer 19

SECTION 97. Said chapter 258C, as so appearing, is hereby further amended by striking out section 7 and inserting in place thereof the following section:-

Section 7. Within 15 days of completion of the claims review, the director shall notify the claimant of compensation to be paid or denied, the reasons therefor, and issue payment in accordance with regulations established under this chapter. The notice shall contain information regarding the right of the claimant to petition for judicial review of the decision by the director.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 98 - Victim Compensation Program Transfer 20

SECTION 98. Section 8 of said chapter 258C, as so appearing, is hereby amended by striking out, in lines 2, 4, 5, 8, 11 and 16, each time it appears, the word "program".

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 99 - Victim Compensation Program Transfer 21

SECTION 99. Said section 8 of said chapter 258C, as so appearing, is hereby further amended by striking out, in line 5, the word "his", and inserting in place thereof the following words:- the director's.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 100 - Victim Compensation Program Transfer 22

SECTION 100. Section 9 of said chapter 258C, as so appearing, is hereby amended by striking out, in lines 2, 6, 9, 11 and 42, each time it appears, the word "program".

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 101 - Victim Compensation Program Transfer 23

SECTION 101. Said section 9 of said chapter 258C, as so appearing, is hereby further amended by striking out, in line 12, the word "his", and inserting in place thereof the following words:- the director's.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 102 - Victim Compensation Program Transfer 24

SECTION 102. The first paragraph of subsection (e) of said section 9 of said chapter 258C, as so appearing, is hereby further amended by striking out the fourth and fifth sentences and inserting in place thereof the following 2 sentences:-

The clerk of the court shall immediately notify the claimant in writing of the decision and shall forward to the agency a certified copy of the decision. The agency without further authorization shall, subject to appropriation, pay the claimant the amount determined by the court.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 103 - Victim Compensation Program Transfer 25

SECTION 103. Said subsection (e) of said section 9 of said chapter 258C, as so appearing, is hereby further amended by striking out, in lines 33, 34, 37, 40 and 41, each time it appears, the word "his" and inserting in place thereof, in each instance, the following words:- the victim's.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 104 - Victim Compensation Program Transfer 26

SECTION 104. Section 11 of said chapter 258C, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words "attorney general", and inserting in place thereof the following word:- agency.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 105 - Victim Compensation Program Transfer 27

SECTION 105. Said section 11 of said chapter 258C, as so appearing, is hereby further amended by striking out, in line 7, the words "attorney general", and inserting in place thereof the following words:- agency, through the attorney general,.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 106 - Victim Compensation Program Transfer 28

SECTION 106. Said section 11 of said chapter 258C, as so appearing, is hereby amended by striking out, in line 8, the word "he".

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 107 - Victim Compensation Program Transfer 29

SECTION 107. Section 12 of said chapter 258C, as so appearing, is hereby amended by striking out, in line 4, the word "division", and inserting in place thereof the following word:- agency.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 108 - Victim Compensation Program Transfer 30

SECTION 108. Said section 12 of said chapter 258C, as so appearing, is hereby amended by inserting after the word "general", in line 15, the following words:- , representing the agency,.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 109 - Victim Compensation Program Transfer 31

SECTION 109. Said chapter 258C of the General Laws is hereby amended by adding the following section:-

Section 15. (a) Except as otherwise provided in this section, all records and information received, obtained or maintained by the agency in connection with any claim for crime victim compensation shall be confidential and privileged. All records and information shall not be disclosed by the agency or by anyone who receives such records or information from the agency.

(b) Nothing in this section shall preclude disclosure of records or information:

(i) for the processing of a claim by the agency or responding to an action in court seeking review of a decision by the agency;

(ii) consisting of information exchanged between the claimant or the claimant's authorized representative and the agency, provided that the claimant or the claimant's authorized representative consents to such disclosure in writing; or

(iii) upon a lawful order issued by a court of competent jurisdiction.

Summary:

This section, together with related sections, transfers the Victim Compensation program from the Attorney General's Office to the Massachusetts Office for Victim Assistance.

Section 110 - Master Tobacco Settlement Agreement Adjustment

SECTION 110. Chapter 68 of the acts of 2011 is hereby amended by striking out section 152.

Summary:

This section repeals the Master Tobacco Settlement Agreement distribution.

Section 111 - Health Connector 500% FPL Connector Care Pilot Extension 1

SECTION 111. Section 81 of chapter 28 of the acts of 2023 is hereby amended by striking out the words "2-year", each time it appears, and inserting in place thereof, in each instance, the following words:- 3-year.

Summary:

This section, together with related sections, extends the two-year 500% FPL Connector Care pilot for one additional year.

Section 112 - Health Connector 500% FPL Connector Care Pilot Extension 2

SECTION 112. Subsection (d) of said section 81 of chapter 28 of the acts of 2023 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:-

The authority shall file annual reports of its evaluation with the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on public health and the joint committee on health care financing, the first of which shall be submitted not later than July 1, 2025, and all subsequent annual reports not later than July 1 of each year thereafter.

Summary:

This section, together with related sections, extends the two-year 500% FPL Connector Care pilot for one additional year.

Section 113 - Rate of Payment Flexibility for MassHealth Ground Ambulance Services

SECTION 113. Section 87 of chapter 28 of the acts of 2023 is hereby amended by adding the following words:- or at the rate that would otherwise be paid for MassHealth members, as determined by the executive office of health and human services in its sole discretion.

Summary:

This section provides flexibility for MassHealth to pay ambulance claims for dual-eligible individuals at the Medicare rate or at the current MassHealth rate.

Section 114 - Health Connector 500% FPL Connector Care Pilot Extension 3

SECTION 114. Section 114 of said chapter 28 of the acts of 2023 is hereby amended by striking out the figure "2026" and inserting in place thereof the following figure:- 2027.

Summary:

This section, together with related sections, extends the two-year 500% FPL Connector Care pilot for one additional year.

Section 115 - Gaming Fund Splits

SECTION 115. Notwithstanding section 59 of chapter 23K of the General Laws or any other general or special law to the contrary, 100 per cent of the revenue received from a category 1 licensee, as defined in section 2 of said chapter 23K, pursuant to subsection (a) of section 55 of said chapter 23K in fiscal year 2026 shall be transferred as follows:

- (i) 30.1 per cent to the Gaming Local Aid Fund established in section 63 of said chapter 23K;
- (ii) 20.6 per cent to the Commonwealth Transportation Fund established in section 2ZZZ of chapter 29 of the General Laws;
- (iii) 19.4 per cent to the Education Fund established in section 64 of said chapter 23K;
- (iv) 13.2 per cent to the Gaming Economic Development Fund established in section 2DDDD of said chapter 29;
- (v) 6.2 per cent to the Local Capital Projects Fund established in section 2EEEE of said chapter 29;
- (vi) 5 per cent to the Public Health Trust Fund established in section 58 of said chapter 23K;
- (vii) 2.5 per cent to the Race Horse Development Fund established in section 60 of said chapter 23K;
- (viii) 2 per cent of revenues to the Massachusetts Cultural and Performing Arts Mitigation Trust Fund established in section 2HHHHH of said chapter 29; and
- (ix) 1 per cent to the Massachusetts Tourism Trust Fund to fund tourist promotion agencies under subsection (b) of section 13T of chapter 23A of the General Laws.

Summary:

This section sets forth the distribution of gaming revenue for Fiscal Year 2026.

Section 116 - Capital Gains Distribution

SECTION 116. Notwithstanding any general or special law to the contrary, the comptroller shall transfer capital gains collected in excess of the threshold pursuant to section 5G of chapter 29 of the General Laws on a quarterly basis as follows: (i) 65 per cent to the Commonwealth's Pension Liability Fund established in subsection (e) of subdivision 8 of section 22 of chapter 32 of the General Laws, which shall satisfy the fiscal year 2026 requirements set forth in subdivision (1) of section 22C of said chapter 32, as amended by section 22 of chapter 28 of the acts of 2023; (ii) 20 per cent to the Commonwealth Stabilization Fund established in section 2H of the General Laws; (iii) 15 per cent to the State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the General Laws.

Summary:

This section describes the distribution of excess capital gains for Fiscal Year 2026.

Section 117 - Chapter 102 and 268 Program Allotments

SECTION 117. Notwithstanding any general or special law to the contrary, the secretary of administration and finance may reduce the allotments of appropriations made in chapter 102 of the acts of 2021 and chapter 268 of the acts of 2022 by up to \$200,000,000, which shall revert to the General Fund in the fiscal year ending June 30, 2026. Not less than 15 days before reducing said allotments, the secretary shall provide written notice to the house and senate committees on ways and means summarizing the allotment reductions subject to this provision.

Summary:

This section authorizes the Secretary of Administration and Finance to amend allotments for certain appropriations from chapter 102 of the acts of 2021 and chapter 268 of the acts of 2022.

Section 118 - FY26 Regional Transit Authority Funding Formula

SECTION 118. Notwithstanding any general or special law to the contrary, for fiscal year 2026, \$110,000,000 shall be considered operating assistance and distributed to regional transit authorities from item 1595-6370 of section 2E and item 1596-2406 of section 2F. For fiscal year 2026, \$94,000,000 of the amount transferred in item 1595-6370 shall be distributed based on fiscal year 2025 distributions in accordance with the updated fiscal year 2025 bilateral memorandum of understanding between each regional transit authority and the Massachusetts Department of Transportation; provided, however, that each regional transit authority shall receive operating assistance from said item 1595-6370 of said section 2E of not less than the amount received in fiscal year 2025.

The department may require each regional transit authority to provide data on ridership, customer service and satisfaction, asset management and financial performance, including farebox recovery, and shall compile any such collected data into a report on the performance of regional transit authorities and detail each authority's progress towards meeting the performance metrics established in each memorandum of understanding.

Summary:

This section sets forth the Fiscal Year 2026 funding distribution for Regional Transit Authorities.

Section 119 - Pension Cost of Living Adjustment

SECTION 119. Notwithstanding any general or special law to the contrary, the amounts transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be made available for the Commonwealth's Pension Liability Fund established in section 22 of said chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said chapter 32, including retirement benefits payable by the state employees' retirement system and the state teachers' retirement system, for the costs associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject to rules that shall be adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse certain cities and towns for pensions of retired teachers, including any other obligation that the commonwealth has assumed on behalf of a retirement system other than the state employees' retirement system or state teachers'

retirement system, including the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32. The payments under this section shall be made only pursuant to distribution of money from the Commonwealth's Pension Liability Fund and any distribution, and the payments for which distributions are required, shall be detailed in a written report prepared quarterly by the secretary of administration and finance and submitted to the senate and house committees on ways and means and the joint committee on public service in advance of the distribution. Distributions shall not be made in advance of the date on which a payment is actually to be made. If the amount transferred pursuant to subdivision (1) of section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund established in subdivision (8) of said section 22 of said chapter 32 to reduce the unfunded pension liability of the commonwealth.

Summary:

This section explains how the Commonwealth is fulfilling its various obligations to the state retirement system, including the obligation to fund a 3% cost-of-living adjustment on the first \$13,000 of a retiree's annual retirement allowance.

Section 120 - Other Post-Employment Benefits Liability

SECTION 120. (a) Notwithstanding any general or special law to the contrary, 10 per cent of all payments received by the commonwealth in fiscal year 2026 under the master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior Court, No. 95-7378 shall be transferred from the General Fund to the State Retiree Benefits Trust Fund from payments received by the commonwealth under the master settlement agreement.

(b) Notwithstanding any general or special law to the contrary, the payment percentage set forth in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2026.

Summary:

This section establishes that 10% of tobacco settlement proceeds are to be transferred from the General Fund to the State Retiree Benefits Trust Fund in Fiscal Year 2026

Section 121 - Universal Adult Vaccine Program 11

SECTION 121. Notwithstanding any general or special law to the contrary, the secretary of health and human services shall seek all required federal approvals that the secretary deems necessary to implement sections 57 to 63, inclusive, 75 to 77, inclusive, including any required waivers under 42 CFR § 433.68 necessary to implement changes to the managed care organization services assessment described in section 68 of chapter 118E of the General Laws. Sections 57 to 62, inclusive, 75 and 76 shall not become effective until the later of the effective date of this act or the first full calendar month following the calendar month in which the secretary determines that all such federal approvals have been received. Section 77 shall not become effective until the later of the October 1, 2027, or the first full calendar month following the calendar month in which the secretary determines that all such federal approvals have been received.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 122 - Pappas Pediatric Rehabilitation Consolidation 4

SECTION 122. Notwithstanding any general or special law to the contrary, any funds maintained by the Trustees named pursuant to section 62K of chapter 111 of the General Laws shall be transferred to the department of public health for the use and benefit of the pediatric patients formerly in the care of Pappas Rehabilitation Hospital for Children who are being treated at facilities operated by the department under chapter 111 or chapter 122 of the General Laws.

Summary:

This section, together with related sections, facilitates the consolidation of the Pappas Pediatric Rehabilitation Program.

Section 123 - Pappas Pediatric Rehabilitation Consolidation 5

SECTION 123. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Commissioner", the commissioner of public health.

"Department", the department of public health.

"Health care provider", any doctor of medicine, osteopathy, or dental science, or a registered nurse, registered pharmacist, social worker, doctor of chiropractic or psychologist licensed under the provisions of chapter 112, or an intern, or a resident, fellow or medical officer licensed under section 9 of said chapter 112, or a hospital, clinic or nursing home licensed under the provisions of chapter 111 and its agents and employees or a public hospital and its agents and employees.

"Pappas", the Pappas rehabilitation hospital for children, as designated in chapter 87 of the acts of 2016, formerly known as the Massachusetts hospital school.

"Public health hospital", a hospital or health care facility operated by the department pursuant to chapter 111.

(b) Notwithstanding any general or special law to the contrary, the commissioner or designee shall develop and implement a consolidation plan providing for the necessary orderly transfer of pediatric patients, personnel, proceeds, rules and regulations, by-laws, equipment, property and legal obligations and functions of Pappas and Western Massachusetts hospital.

(c) All books, papers, records, documents, equipment, cash and other property, both personal and real, including all such property held in trust, which immediately before the transfer are in the custody of Pappas, shall be transferred to Western Massachusetts hospital or other public health hospital facilities, or a combination thereof and maintained in the usual course.

(d) All duly existing contracts, leases and obligations of Pappas, shall be managed by the department and the executive office for administration and finance in accordance with all applicable regulations and policies.

(e) The operation and provision of pediatric services through the public health hospitals shall continue through current funding or appropriations to the public health hospitals within the Hospital Operations Consolidated Account.

(f) Upon certification by the commissioner that the patient census at the Pappas is at 0, the physical campus of the hospital and school shall be closed to students and patients. The ongoing provision of pediatric services shall continue through public health hospitals, including, but not limited to, the Western Massachusetts hospital.

(g) If required, the commissioner shall be authorized to represent Pappas and the associated pediatric program beyond the closure date referenced in subsection (f).

(h) The commissioner of public health may seek input from the Public Health Hospital System Board of Governors or members of the community to provide input on the consolidation of Pappas and Western Massachusetts hospital and the continued provision of pediatric services at the public health hospitals. Such input will ensure the ongoing provision of clinically appropriate, community based, inclusive and effective care to those patients transferred from the Pappas campus or requiring ongoing pediatric care.

Summary:

This section, together with related sections, facilitates the consolidation of the Pappas Pediatric Rehabilitation Program.

Section 124 - Expanded Medicare Savings Program Transfer

SECTION 124. Notwithstanding any general or special law to the contrary, the secretary of administration and finance, in consultation with the secretary of health and human services, may transfer from the prescription advantage program in item 9110-1455 of section 2 and the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws in fiscal year 2026, the amount necessary to support the Medicare Saving or Medicare Buy-In programs established in section 25A of said chapter 118E; provided, however, that the secretary of health and human services shall certify to the senate and house committees on ways and means, not less than 15 days in advance of the transfer, in writing, the amount to be transferred and an explanation of the amount of expected savings to those programs resulting from the transfer.

Summary:

This section authorizes the transfer of funds from the Prescription Advantage programs and the Health Safety Net Trust Fund in order to fund the non-federal share of the Medicare Savings Program.

Section 125 - Health Safety Net Administration

SECTION 125. Notwithstanding any general or special law to the contrary, payments from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws may be made either as safety net care payments under the commonwealth's waiver pursuant to section 1115 of the federal Social Security Act, 42 U.S.C. § 1315, or as an adjustment to service rate payments under Title XIX and XXI of the Social Security Act or a combination of both. Other federally permissible funding mechanisms available for certain hospitals, as defined by regulations of the executive office of health and human services, may be used to reimburse up to \$70,000,000 of uncompensated care pursuant to sections 66 and 69 of said chapter 118E using sources distinct from the funding made available to the Health Safety Net Trust Fund.

Summary:

This section allows Health Safety Net Trust Fund payments to be made as 1115 waiver or state plan payments and authorizes up to \$70 million of uncompensated care to be paid from sources other than the Health Safety Net Trust Fund.

Section 126 - Initial Gross Payments to Qualifying Acute Care Hospitals

SECTION 126. Notwithstanding any general or special law to the contrary, not later than October 1, 2025, and without further appropriation, the comptroller shall transfer from the General Fund to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and community health centers required pursuant to this act, for the purposes of making initial gross payments to qualifying acute care hospitals for the hospital fiscal year beginning October 1, 2025. These payments shall be made to hospitals before, and in anticipation of, the payment by hospitals of their gross liability to the Health Safety Net Trust Fund. The comptroller shall transfer from the Health Safety Net Trust Fund to the General Fund, not later than June 30, 2026, the amount of the transfer authorized by this section and any allocation of that amount as certified by the director of the health safety net office.

Summary:

This section requires the Comptroller to transfer sufficient money from the General Fund to the Health Safety Net Trust Fund to make the required initial gross payment to qualifying hospitals. It requires the Health Safety Net Trust Fund to repay the General Fund before the end of Fiscal Year 2026.

Section 127 - Inspector General's Health Care Audits

SECTION 127. Notwithstanding any general or special law to the contrary, in hospital fiscal year 2026, the office of inspector general may expend a total of \$1,000,000 from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws for costs associated with maintaining a health safety net audit unit within the office. The unit shall continue to oversee and examine the practices in hospitals including, but not limited to, the care of the uninsured and the resulting free charges. The unit shall also study and review the Medicaid program under said chapter 118E including, but not limited to, a review of the program's eligibility requirements, utilization, claims administration and compliance with federal mandates. The inspector general shall submit a report to the chairs of the senate and house committees on ways and means on the results of the audits and any other completed analyses not later than March 1, 2026.

Summary:

This section authorizes the Inspector General's Office to conduct audits of the Health Safety Net and the MassHealth program, at a cost of \$1 million for Fiscal Year 2025. As in past years, this cost will be borne by the Health Safety Net Trust Fund.

Section 128 - Nursing Facility Base Year

SECTION 128. Notwithstanding any general or special law to the contrary, nursing facility rates to be effective on October 1, 2025, under section 13D of chapter 118E of the General Laws may be developed using the costs of calendar year 2019.

Summary:

This section allows the Executive Office of Health and Human Services to continue using 2019 costs to develop nursing facility rates.

Section 129 - Transfers Between Health Funds

SECTION 129. Notwithstanding any general or special law to the contrary, the comptroller, at the direction of the secretary of administration and finance may transfer up to \$15,000,000 from the Commonwealth Care Trust Fund established in section 2000 of chapter 29 of the General Laws to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws.

Summary:

This section authorizes the Secretary of Administration and Finance to transfer up to \$15 million from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund.

Section 130 - Penalty on Excessive Prescription Drug Price Growth 2

SECTION 130. Notwithstanding any general or special law to the contrary, no penalty shall be assessed under chapter 63E of the General Laws, as inserted by section 41, until the calendar quarter beginning October 1, 2025.

Summary:

This section, together with a related section, establishes a penalty on drug manufacturers who increase prices on a prescription drug in excess of the change in the Consumer Price Index.

Section 131 - Electronic Title 4

SECTION 131. No later than 6 months after the effective date of this act, the registrar of motor vehicles shall promulgate regulations to implement section 54.

Summary:

This section, together with related sections, establishes a process for electronic signature of titles and the transfer of electronic titles.

Section 132 - Speed Camera Enforcement 5

SECTION 132. Not later than 6 months from the effective date of this act, the Massachusetts Department of Transportation shall promulgate regulations to establish the requirements, standards and processes for a city or town's participation in the automated road safety enforcement program. The regulations shall include, but not be limited to: (i) establishing standardized forms for notices of violations and written warnings; (ii) developing uniform signage and distance requirements for the purpose of complying with subsection (a) of section 5 of chapter 90L of the General Laws; (iii) establishing guidance for the calibration and verification of automated road safety camera systems under subsection (b) of section 6 of said chapter 90L; and (iv) establishing provisions for protecting data collected by an automated road safety camera system from unauthorized access.

Summary:

This section, together with related sections, authorizes the Massachusetts Department of Transportation to establish a speed camera enforcement program to allow the Department and municipalities to enforce posted speed limits through speed cameras.

Section 133 - Speed Camera Enforcement 6

SECTION 133. Sections 4, 49, 50, 56 and 132 shall take effect July 1, 2026.

Summary:

This section, together with related sections, authorizes the Massachusetts Department of Transportation to establish a speed camera enforcement program to allow the Department and municipalities to enforce posted speed limits through speed cameras.

Section 134 - Massachusetts Commission Against Discrimination Modernization 3

SECTION 134. Sections 5 and 6 shall take effect January 1, 2026.

Summary:

This section, together with its related sections, updates the structure of the Massachusetts Commission Against Discrimination.

Section 135 - Effective Date for Certain Tax Provisions 1

SECTION 135. Sections 31, 32, 34 to 37, inclusive, 39 and 40 shall take effect for taxable years beginning on or after January 1, 2025.

Summary:

This section provides that certain tax provisions of this act shall take effect for taxable years beginning on or after January 1, 2025.

Section 136 - SCO Dual Enrollment & Non-Resident Business Sale Effective Date

SECTION 136. Sections 33, 38, and 69 to 71, inclusive, shall take effect on January 1, 2026.

Summary:

This section sets the effective date for limiting the Senior Care Options Program to MassHealth members who are dually eligible for Medicare and aged 65 and older as well as the requirement to include the sale of a business or an interest in a business in the Massachusetts source income of a non-resident subject to tax.

Section 137 - Effective Date for Certain Tax Provisions 2

SECTION 137. Sections 42 to 48, inclusive, shall take effect on August 1, 2025.

Summary:

This section provides that certain tax provisions of this act shall take effect on August 1, 2025.

Section 138 - Electronic Title 5

SECTION 138. Sections 53 and 55 shall take effect 6 months after the effective date of this act.

Summary:

This section, together with related sections, establishes a process for electronic signature of titles and the transfer of electronic titles.

Section 139 - Universal Adult Vaccine Program 12

SECTION 139. Section 63 shall take effect the first full calendar month following the calendar month in which the secretary determines both that voluntary federal contributions covering adults age 65 and over are available to state adult vaccine funds such as the Adult Vaccine Purchase Fund and that all federal approvals necessary under section 121 have been received.

Summary:

This section, together with related sections, allows the Department of Public Health to establish and administer an adult vaccine distribution program.

Section 140 - Pappas Pediatric Rehabilitation Consolidation 6

SECTION 140. Sections 65, 67 and 122 shall take effect upon the earlier of: (i) the certification by the commissioner pursuant to subsection (f) of 123; or (ii) June 30, 2026.

Summary:

This section, together with related sections, facilitates the consolidation of the Pappas Pediatric Rehabilitation Program.

Section 141 - Effective date

SECTION 141. Except as otherwise specified, this act shall take effect on July 1, 2025.

Summary:

This section provides that this act shall take effect on July 1, 2025.



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