

SENATE No. 3178

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

SENATE, July 16, 2026.

The committee on Senate Ways and Means to whom was referred the House Bill relative to economic development in the commonwealth (House, No. 5576); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3178. [This legislation authorizes \$325,100,000 in bond obligations and \$100,000,000 in direct fiscal year 2026 appropriations from the Education and Transportation Fund].

For the committee,
Michael J. Rodrigues

SENATE No. 3178

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In the One Hundred and Ninety-Fourth General Court
(2025-2026)

1 SECTION 1. To provide for certain unanticipated obligations of the commonwealth, to
2 provide for an alteration of purpose for current appropriations and to meet certain requirements
3 of law, the sums set forth in section 2A are hereby appropriated from the Education and
4 Transportation Fund established in section 2BBBBBB of chapter 29 of the General Laws unless
5 specifically designated otherwise in this act, for the several purposes and subject to the
6 conditions specified in this act and subject to the laws regulating the disbursement of public
7 funds for the fiscal year ending June 30, 2026. Except as otherwise provided, these sums shall be
8 made available through the fiscal year ending June 30, 2029.

9 SECTION 2A.

10 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

11 Office of the Secretary

12 1596-7066 For a bridge funding reserve to support public institutions of higher
13 education in the commonwealth to enable them to: (i) adapt to federal funding uncertainty or for
14 the loss or diminishment of federal research funding; (ii) encourage advancement of scientific
15 research, enhance employment opportunities and talent development; and (iii) enable
16 participation in partnerships and joint ventures related to research and innovation; provided, that

the funds shall be administered by the executive office for administration and finance, in consultation with the executive office of education, the executive office of labor and workforce development and the executive office of economic development; provided further, that funds may be expended as flexible funding support for public institutions of higher education in the commonwealth to fund direct and indirect costs of research to retain talent and preserve the pace of scientific discovery in the commonwealth; provided further, that funds may be expended as a talent retention and extension reserve to fund positions in research and teaching, including graduate, post doctorate and other early career research professionals, that would otherwise be unfunded due to reductions in federal indirect rates and to build a bridge to future funding levels and sources; provided further, that funds may be expended for research opportunities, partnerships and joint ventures to support research activity and employment and advance innovation and opportunity in the commonwealth including, but not limited to, opportunities related to advanced manufacturing and technology, agricultural science and technology, bioengineering and life sciences, civil engineering and advanced construction materials, climate and environmental science, ecology, education and child development, electronics, energy, fisheries and wildlife science and management, forestry science and management, marine science and technology, medical science and technology, meteorology and atmospheric science, nursing science, public health and applied health sciences and robotics; provided further, that prior to the receipt of funds from this item, public institutions of higher education shall submit a federal funding disruption mitigation plan to the executive office for administration and finance and the house and senate committees on ways and means, which shall include, but not be limited to, the planned needs and projected expenditures for each fiscal year in which funds are made available under this item; provided further, that funds from this item shall be expended in a

manner that prioritizes a public institution of higher education’s loss or diminishment of federal research funding that will impact prospective research opportunities and the pace of discovery; provided further, that funds shall be further prioritized in a manner that provides bridge funding over multiple fiscal years in which funds are made available under this item; provided further, that funds shall be expended by public institutions of higher education in a manner that is consistent with the institutions’ federal funding mitigation plan unless otherwise authorized by the secretary of administration and finance; and provided further, that the secretary of administration and finance may transfer funds from this item to other items as necessary

.....\$100,000,000

SECTION 3A. To provide for a program of community development, economic opportunities, support for local governments, increased industry innovation, job creation and the promotion of economic reinvestment through the funding of infrastructure improvements, the sums set forth in this section for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items. The sums set forth in this section shall be made available until June 30, 2036.

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Office of the Secretary

7002-8046 For the growth capital division of the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws for a program to provide matching grants to community development financial institutions certified by the United States

62 Treasury or community development corporations certified under chapter 40H of the General
63 Laws to leverage federal or private investment for the purpose of making loans to small
64 businesses; provided, that such grants shall prioritize socially or economically disadvantaged
65 businesses, which may include, but shall not be limited to, minority-owned, women-owned,
66 worker-owned, veteran-owned or immigrant-owned small businesses that have historically faced
67 obstacles to accessing capital; and provided further, that not less than \$10,000,000 shall be
68 expended to The Massachusetts Business Development Corporation for the Massachusetts
69 Capital Access program to support loans to eligible businesses for start up costs, equipment
70 purchases, real estate acquisitions and other business expenses.....\$20,000,000

71 7002-8079 For a capital grant program to be administered by the executive office of
72 economic development to provide grants to private businesses that are constructing or expanding
73 commercial, industrial or manufacturing facilities in the commonwealth, which may include, but
74 shall not be limited to: (i) the construction or expansion of facilities in a manner that eliminates
75 or minimizes the use of fossil-fuel heating and cooling equipment, or incorporates other
76 decarbonization measures that would not otherwise be incorporated into the facility design; (ii)
77 the integration of design features that make a facility more resilient to the impacts of climate
78 change, where such design features would not otherwise be economically feasible; and (iii)
79 capital investments that support the creation of a significant number of new jobs in the
80 commonwealth; provided, that the secretary of economic development shall issue program
81 guidelines around the administration of the program which may include the administration of the
82 program through a contract with the Massachusetts Development Finance Agency established in
83 section 2 of chapter 23G of the General Laws or any other appropriate quasi-governmental

agency; and provided further, that grants shall be awarded in a manner that promotes geographic equity.....\$25,000,000

7002-8080 For a grant program to be administered by the executive office of economic development to support the development and application of artificial intelligence technologies in strategically important sectors of the state’s economy including, but not limited to, life sciences, healthcare, advanced manufacturing, climatetech, quantum, defense technology, transportation and robotics; provided, that grants may be awarded from this item to public entities, non-profit entities and private businesses; and provided further, that, at the discretion of the secretary of economic development, grant funding may be administered by the Massachusetts Technology Park Corporation, the Massachusetts Life Sciences Center, the Massachusetts Technology Development Corporation or the Massachusetts Clean Energy Technology Center.....\$75,000,000

7002-8081 For a capital grant program to be administered by the executive office of economic development to support the construction, fit-out and improvement of 1 or more sites where early stage and high growth business ventures are encouraged to establish operations in the commonwealth; provided, that the executive office may contract with the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws, or any other state authority as defined in section 1 of chapter 29 of the General Laws, to administer the grants or other financial assistance from this item; and provided further, that grants shall be awarded in a manner that promotes geographic equity.....\$20,000,000

7002-8082 For a grant program to be administered by the executive office of economic development to invest in capital assets or public infrastructure that promote economic

106 growth, job creation and talent recruitment and retention in the defense sector, including to
107 support innovation in defense related technologies such as artificial intelligence, cybersecurity,
108 robotics and autonomous systems, semiconductors and microelectronics, biosecurity and
109 advanced manufacturing; provided, that grants from this item may be awarded to public and
110 private entities as determined by the executive office; and provided further, that, at the discretion
111 of the secretary of economic development, grant funding may be administered by the
112 Massachusetts Technology Park Corporation, the Massachusetts Life Sciences Center, the
113 Massachusetts Technology Development Corporation, the Massachusetts Development Finance
114 Agency or the Massachusetts Clean Energy Technology Center.....\$100,000,000

115 7002-8083 For a grant program to be administered by the executive office of
116 economic development to support food science, agricultural enterprises, resilient and sustainable
117 food innovation, food and agricultural technology and related sectors; provided, that the
118 executive office may contract with the Massachusetts Development Finance Agency established
119 in section 2 of chapter 23G of the General Laws, or any other state authority as defined in section
120 1 of chapter 29 of the General Laws, to administer the grants from this item; and provided
121 further, that grants shall be awarded in a manner that promotes geographic
122 equity.....\$10,000,000

123 7002-8084 For a competitive program to be administered by the Massachusetts
124 Technology Park Corporation established in section 3 of chapter 40J of the General Laws to
125 provide capital grants to support research and development of robotics technology including, but
126 not limited to, robotics incubation, testing, training, workforce development, research and
127 development and commercialization activities; provided, that grants may be awarded to nonprofit
128 entities, public or private universities or private business entities.....\$25,000,000

129 7002-8085 For a grant program to cities, towns, regional organizations whose
130 membership is exclusively composed of municipal governments, municipal redevelopment
131 authorities or agencies or quasi-governmental agencies to support economic development in the
132 commonwealth including, but not limited to, support for the vitality, activation, improvement
133 and competitiveness of downtowns, main streets, business districts, town centers, commercial
134 corridors, cultural districts and other walkable mixed-use areas; provided, that the executive
135 office of economic development shall establish program requirements through regulations or
136 policy guidelines; and provided further, that grants shall be awarded in a manner that promotes
137 geographic equity.....\$25,000,000

138 7002-8086 For a capital grant program to be administered by the executive office of
139 economic development to enhance the arts, culture and the creative economy in the
140 commonwealth including, but not limited to, grants to cities and towns for public realm and
141 streetscape improvements that enhance downtown vibrancy, rehabilitation of historic districts,
142 wayfinding and signage to support cultural institutions, improvements to public gathering and
143 performance spaces and permanent public art installations; provided, that the executive office
144 may contract with the Massachusetts Development Finance Agency established in section 2 of
145 chapter 23G of the General Laws, Massachusetts Cultural Council, or any other state authority as
146 defined in section 1 of chapter 29 of the General Laws, to administer the grants from this item;
147 and provided further, that grants shall be awarded in a manner that promotes geographic
148 equity.....\$25,000,000

149 7002-8087 For local economic development grants.....\$100,000

SECTION 4. Subsection (b) of section 204 of chapter 6 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 20 to 21, the words “but shall not serve for longer than 8 consecutive years”.

SECTION 5. Subsection (c) of section 16I of chapter 6A of the General Laws, as so appearing, is hereby amended by striking out, in line 13, the words “housing and”.

SECTION 6. Subsection (d) of said section 16I of said chapter 6A, as so appearing, is hereby amended by striking out, in line 20, the word “community” and inserting in place thereof the following word:- economic.

SECTION 7. Chapter 7 of the General Laws is hereby amended by inserting after section 4T the following new section:-

Section 4U. Notwithstanding any general or special law to the contrary, the secretary, in consultation with the deputy commissioner of local services and the secretary of housing and livable communities, shall direct all departments, commissions, offices, boards, divisions, institutions or other agencies administering discretionary or competitive grant programs for which eligible recipients include municipalities or other public instrumentalities to establish a preference modifier for applicants or prospective recipients that have zoning or land use policies that encourage the production of housing sufficient to meet commonwealth housing goals as determined by the executive office of housing and livable communities; provided, however, that such policies may include, but shall not be limited to, as-of-right zoning capacity for multifamily housing that provides opportunity to build housing in appropriate areas, the elimination of parking minimums for residential use, the elimination of restrictive lot size requirements and wastewater and wetlands standards that do not exceed state health or environmental standards. A

regional or other partnership of not less than 2 municipalities shall only be eligible for such preference modifier if the applicable requirements in all included municipalities are met. The executive office for administration and finance, in consultation with the executive office of energy and environmental affairs and the executive office of housing and livable communities, shall issue guidelines to implement this section.

SECTION 8. Section 35FF of chapter 10 of the General Laws is hereby repealed.

SECTION 9. Section 5A of chapter 23B of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking the first paragraph and inserting in place thereof the following paragraph:-

There shall be within the executive office a housing appeals committee, consisting of 5 members to be appointed by the secretary or their designee, of whom 1 shall be an officer or employee of the executive office or any agency or division within the executive office, and 2 members to be appointed by the governor, of whom 1 shall be a current or recent member of a select board and 1 shall be a current or recent member of a city council or similar governing body of a city. The members shall serve for terms of 2 years each and the secretary or their designee shall designate the chairperson. A member of the committee shall receive no compensation for such services but shall be reimbursed by the commonwealth for all reasonable expenses actually and necessarily incurred in the performance of official duties. Said committee shall hear all petitions for review filed under section 22 of chapter 40B and shall conduct said hearings in accordance with rules and regulations established by the secretary or the secretary's designee; provided, however, that the committee may hear multiple such petitions concurrently and any such petition shall be heard by not less than 3 members, not less than 2 of whom have

194 been appointed by the secretary or the secretary's designee and at least 1 of whom has been
195 appointed by the governor, as assigned by the chair.

196 SECTION 10. The definition of "Cultural facility" in subsection (b) of section 42 of
197 chapter 23G of the General Laws, as so appearing, is hereby amended by striking out the second
198 and third sentences and inserting in place thereof the following sentence:- The term cultural
199 facility may include, but shall not be limited to, museums, historical sites, zoos, aquariums,
200 nature or science centers, theaters, concert halls, exhibition spaces, classrooms and auditoriums
201 suitable for presentation of performing or visual arts; provided, however, that municipally-owned
202 buildings, structures or sites shall have not less than 50 per cent of their usable floor area or
203 outside space dedicated to such use to qualify under this definition.

204 SECTION 11. Section 5 of chapter 23I of the General Laws, as so appearing, is hereby
205 amended by striking out, in line 37, the word "3F" and inserting in place thereof the following
206 word:- 3C.

207 SECTION 12. Subsection (b) of said section 5 of said chapter 23I, as so appearing, is
208 hereby amended by adding the following 2 sentences:- The decision by the center to certify or
209 deny certification of a life sciences company and the decision to award or deny any incentives
210 pursuant to subsections (c) or (d), including, but not limited to, the amount of such award and
211 any conditions or limitations on such authorization, shall be decisions that are at the sole
212 discretion of the center. Such decision by the center shall be final and shall not be subject to
213 administrative appeal or judicial review pursuant to chapter 30A or give rise to any other cause
214 of action or legal or equitable claim or remedy.

SECTION 13. Said section 5 of said chapter 23I, as so appearing, is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d)(1) There shall be a life sciences tax incentive program. The center, in consultation with the department, may authorize incentives, including incentives carried forward or refunded pursuant to subsections (m), (n) and (r) of section 6 of chapter 62, paragraph 17 of section 30 of chapter 63, the second time it appears, section 31M of said chapter 63, the second time it appears, paragraph 6 of subsection (f) of section 38 of said chapter 63, subsection (k) of section 38M of said chapter 63, section 38U of said chapter 63, section 38V of said chapter 63, section 38W of said chapter 63, section 38CC of said chapter 63, the second paragraph of subsection (c) of section 42B of said chapter 63 and subsection (xx) of section 6 of chapter 64H in a cumulative amount, including the current year cost of incentives allowed in previous years, that shall not exceed \$40,000,000 annually. The center may authorize incentives to a life sciences company that spans multiple years if the total amount of incentives due to be taken in any single calendar year does not exceed the applicable cap. The center shall determine the amount and type of any such incentive to authorize and the schedule on which those incentives may be claimed. The center may, in consultation with the department, limit any incentive to a specific dollar amount or time duration or in any other manner deemed appropriate by the department; provided, however, that the department shall only allocate any such incentives among commonwealth certified life sciences companies pursuant to subsection (b) and shall award such tax incentives pursuant to subsection (c).

The center shall provide an estimate to the secretary of administration and finance of the tax cost of extending benefits to a proposed project before certification, as approved by the commissioner of revenue, based on reasonable projections of project activities and costs. Tax

incentives shall not be available to a certified life sciences company unless expressly granted by the secretary of administration and finance in writing.

(2) When authorizing incentives pursuant to subsection (d), the center shall require the certified life sciences company to execute a written agreement setting forth the terms and conditions on which the tax credits may be claimed. Such written agreement shall set forth the company's permanent new or retained full-time employees, commitments over 1 or more years, set forth a schedule on which the credits may be claimed and other such terms or conditions as the center may in its discretion require. Such agreement may also, at the center's discretion, limit or restrict the right of the certified life sciences company to carry unused tax credits forward to subsequent tax years.

SECTION 14. Subsection (e) of said section 5 of said chapter 23I, as so appearing, is hereby amended by striking out paragraphs (1) and (2) and inserting in place thereof the following 2 paragraphs:-

(1) Certification granted pursuant to subsection (b) shall be valid starting with the tax year in which certification is granted. Each certified life sciences company shall file an annual report with the center certifying whether the company has achieved the job commitments, met the specific targets established in the proposal pursuant to subclause (A) of clause (i) of subsection (b) and other material obligations or representations set forth in the written agreement pursuant to paragraph (2) of subsection (d).

(2) The certification of a life sciences company may be revoked by the center after an investigation and determination that representations made by the certified life sciences company in its certification proposal or written agreement pursuant to paragraph (2) of subsection (d) are

materially at variance with the conduct of the life sciences company after receiving certification; provided, however, that the center shall review the certified life sciences company at least annually; provided further, that the center shall have the discretion to determine whether the material variance shall result in revocation of a project certification, taking into account: (i) the conduct of the certified life sciences company subsequent to the project certification; (ii) the extent to which the material variance is the result of unforeseen conditions that are outside the control of the certified life sciences company; and (iii) other considerations as the center shall establish by policy. If center revokes certification of a life sciences company, the center shall provide its reasons for the decision in writing to the secretary of administration and finance, the commissioner of revenue and the clerks of the house of representatives and the senate, who shall forward the same to the house and senate committees on ways and means, the joint committee on revenue and the joint committee on economic development and emerging technologies. The center shall post these reasons on the internet for public access.

SECTION 15. Said subsection (e) of said section 5 of said chapter 23I, as so appearing, is hereby further amended by striking out paragraph (4) and inserting in place thereof the following 2 paragraphs:-

(4) In connection with an award of refundable jobs credits pursuant to subsection (r) of section 6 of chapter 62 or section 38CC of chapter 63, if the center finds that the certified life sciences company is in material variance with the terms of the written agreement entered into under paragraph (2) of subsection (d), the center may rescind tax credits awarded but not yet claimed and request that the department recapture tax credits already claimed. The center may provide the company with reasonable opportunity to cure the material variance and rescind or recapture tax credits in proportion to the company's compliance, as determined by the center.

283 Tax credits shall be rescinded or recaptured by sending a written notice to the certified life
284 sciences company and the department. Where applicable, the department shall recapture tax
285 credits in accordance with subsection (r) of section 6 of chapter 62 or section 38CC of chapter
286 63.

287 (5) Nothing in this subsection shall limit any legal remedies available to the
288 commonwealth against any certified life sciences company.

289 SECTION 16. Said section 5 of said chapter 23I, as so appearing, is hereby amended by
290 striking out, in lines 149 and 150, the word “independent”.

291 SECTION 17. Section 1 of chapter 23J of the General Laws, as so appearing, is hereby
292 amended by striking out the definition of “Fund” and inserting in place thereof the following
293 definition:-

294 “Fund”, the Climatetech Investment Fund established in section 15.

295 SECTION 18. Said section 1 of said chapter 23J, as so appearing, is hereby further
296 amended by striking out the definition of “Trust fund.”

297 SECTION 19. Section 2 of said chapter 23J, as so appearing, is hereby amended by
298 striking out, in lines 13 to 15, inclusive, the words “, in collaboration with the Massachusetts
299 Renewable Energy Trust Fund established in section 4E of chapter 40J,”.

300 SECTION 20. Said section 2 of said chapter 23J, as so appearing, is hereby further
301 amended by striking out the second paragraph.

302 SECTION 21. Section 3 of said chapter 23J, as so appearing, is hereby amended by
303 striking out, in lines 65 to 66, the words “Massachusetts Alternative and Clean Energy
304 Investment Trust Fund” and inserting in place thereof the following word:- fund.

305 SECTION 22. Subsection (a) of said section 3 of said chapter 23J, as so appearing, is
306 hereby amended by striking out paragraphs (26) and (31).

307 SECTION 23. Section 5 of said chapter 23J, as so appearing, is hereby amended by
308 striking out, in lines 16 to 19, inclusive, the words “and the trust fund over the previous fiscal
309 year, the ability of the fund to meet the requirements in section 35FF of chapter 10 and the
310 ability of the trust fund to meet the requirements in section 9” and inserting in place thereof the
311 following words:- over the previous fiscal year, the ability of the fund to meet the requirements
312 in section 15.

313 SECTION 24. Section 9 of said chapter 23J is hereby repealed.

314 SECTION 25. Section 11 of said chapter 23J, as appearing in the 2024 Official Edition, is
315 hereby amended by striking out, in lines 2 and 3, the words “the fund and the trust fund” and
316 inserting in place thereof the following words:- any trust funds administered by the center under
317 this chapter.

318 SECTION 26. Section 15 of said chapter 23J, as so appearing, is hereby amended by
319 striking out, in line 6, the words “and (iii)” and inserting in place thereof the following words:-
320 (iii) all amounts collected under section 20 of chapter 25; and (iv).

321 SECTION 27. Subsection (b) of section 16 of said chapter 23J, as so appearing, is hereby
322 amended by adding the following 2 sentences:- The decision by the center to certify or deny

certification of a climatetech company and the decision to award or deny any incentives pursuant to subsection (d), including without limitation the amount of such award, and any conditions or limitations on such authorization, shall be decisions that are in the sole discretion of the center. Such decision by the center shall be final and shall not be subject to administrative appeal or judicial review pursuant to chapter 30A or give rise to any other cause of action or legal or equitable claim or remedy.

SECTION 28. Subsection (c) of said section 16 of said chapter 23J, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) Certification granted pursuant to subsection (b) shall be valid starting with the tax year in which certification is granted. Each certified climatetech company shall file an annual report with the center certifying whether the company has achieved the job commitments, met the specific targets established in the proposal pursuant to clause (i) of subsection (b) and, if not, detailing its progress towards those targets, and other material obligations or representations set forth in the written agreement pursuant to paragraph (3) of subsection (d).

SECTION 29. Said section 16 of said chapter 23J, as so appearing, is hereby further amended by inserting after the word “proposal”, in line 56, the following words:- or written agreement pursuant to paragraph (3) of subsection (d).

SECTION 30. Subsection (c) of said section 16 of said chapter 23J, as so appearing, is hereby amended by striking out paragraph (3) and inserting in place thereof the following 2 paragraphs:-

(3) In connection with an award of refundable jobs credits pursuant to subsection (hh) of section 6 of chapter 62 or section 38TT of chapter 63, if the center finds the certified climatetech company is in material noncompliance with the terms of the written agreement entered into under paragraph (3) of subsection (d) then the center may rescind tax credits awarded but not yet claimed, and request that the department recapture tax credits already claimed; provided, however, that the center may provide the certified climatetech company with reasonable opportunity to cure the material noncompliance and to rescind or recapture tax credits in proportion to the certified climatetech company's compliance as determined by the center. Tax credits shall be rescinded or recaptured by sending a written notice to the certified climatetech company and the department. Where applicable, the department shall recapture tax credits in accordance with subsection (hh) of section 6 of chapter 62 or section 38TT of chapter 63.

(4) Nothing in this subsection shall limit any legal remedies available to the commonwealth against any certified climatetech company.

SECTION 31. Section (d) of said section 16 of said chapter 23J, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) The center, in consultation with the department of revenue, may authorize incentives, including those established in subsections (gg) and (hh) of section 6 of chapter 62, subsection (k) of section 38M of chapter 63, section 38RR of said chapter 63, section 38SS of said chapter 63, section 38TT of said chapter 63, the second paragraph of subsection (c) of section 42B of said chapter 63 and subsection (yy) of section 6 of chapter 64H, that shall not exceed \$30,000,000 annually. The center may authorize incentives to a certified climatetech company that spans

multiple years if the total amount of incentives due to be taken in any single calendar year does not exceed the applicable cap; provided, however, that the center shall determine the amount and type of any such incentive authorized and the schedule on which such incentives may be claimed. The center, in consultation with the department of revenue, may limit the incentives to a specific dollar amount, for a specific period of time or in any other manner deemed appropriate by the department of revenue; provided, however, that the department of revenue shall only allocate the incentives among certified climatetech companies.

SECTION 32. Said section (d) of said section 16 of said chapter 23J, as so appearing, is hereby further amended by adding the following paragraph:-

(3) When authorizing incentives pursuant to this subsection, the center shall require the certified climatetech company to execute a written agreement setting forth the terms and conditions on which the tax credits may be claimed. Such written agreement shall set forth the certified climatetech company's permanent new or retained full time employees, commitments over 1 or more years, set forth a schedule on which the credits may be claimed and other such terms or conditions as the center may in its discretion require; provided, however, that such agreement may, at the center's discretion, limit or restrict the right of the certified climatetech company to carry unused tax credits forward to subsequent tax years.

SECTION 33. Said chapter 23J is hereby further amended by adding the following section:-

Section 17. (a) Unless otherwise provided, the words used in this section shall have the meanings ascribed to them in section 1 of chapter 164.

(b) For purposes of this section, “gridtech solution” shall mean novel technologies, novel applications of technologies and other innovative approaches including, but not limited to, novel retail rate designs, distributed energy resource wiring configurations or customer energy solutions.

(c) There shall be a gridtech deployment advisory board, which shall be tasked with: (i) exploring opportunities for public-private partnerships to test or deploy at scale gridtech; (ii) facilitating connections between gridtech companies and relevant distribution companies; and (iii) identifying and proposing solutions to barriers in the existing practices of an electric company or the department of public utilities; provided, however, that such solutions are permissible under state law. The advisory board shall prioritize, where appropriate, the deployment of gridtech that reduce electric distribution and transmission grid costs and support achievement of the statewide greenhouse gas emissions limits and sublimits under chapter 21N.

(d) The board established pursuant to subsection (c) shall be comprised of the chief executive officer of the Massachusetts clean energy technology center, or their designee, the commissioner of energy resources, or their designee, the chair of public utilities, or their designee, the secretary of the executive office of economic development, or their designee, 1 of whom shall be a representative from the body established under chapter 40G, 1 of whom shall be a representative from each electric company 1 of whom shall be a representative from the Massachusetts Municipal Wholesale Electric Company, 1 of whom shall be a representative from a municipal electric distribution company or an organization that represents municipal electric distribution companies and 3 of whom representatives from organizations involved or familiar with the development, financing or implementation of gridtech solutions. The board shall be co-chaired by the chief executive officer of the Massachusetts clean energy technology

center, or their designee, and a member of an electric company serving on the advisory board.

All representatives shall, unless otherwise provided, be appointed by the chief executive officer of the Massachusetts clean energy technology center.

(e) The electric companies shall file for review and approval with the department of public utilities any process approved by the board to review, on an expedited basis, requests for limited waivers of prior department orders that will alleviate gridtech deployment barriers.

(f) The department shall approve any process filed under subsection (e) if it determines that such process is in the public interest, including but not limited to reducing electric grid costs and supporting achievement of the statewide greenhouse gas emissions limits and sublimits under chapter 21N.

(g) Annually, the board shall identify barriers to the deployment of discrete gridtech technologies and applications in existing utility practices and orders issued by the department of public utilities and potential solutions to those barriers and, as applicable, limited waivers of department orders to alleviate the identified barriers. The electric companies shall seek approval from the department of any limited waivers identified and approved by the board so long as they are consistent with the process approved by the department under subsection (f).

(h) Nothing in this section shall preclude members of the board from testing, funding or scaling gridtech solutions outside of the processes outlined in this section.

SECTION 34. Section 20 of chapter 25 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The department shall require a mandatory charge of 0.5 mill per kilowatt-hour for all electricity consumers, except those served by a municipal lighting plant which does not supply generation service outside its own service territory or does not open its service territory to competition at the retail level. All revenues generated by the mandatory charge shall be deposited into and expended in a manner consistent with the requirements of the Climatetech Investment Fund, established under section 15 of chapter 23J.

SECTION 35. Said section 20 of said chapter 25, as so appearing, is hereby further amended by striking out, in line 22, the words “Massachusetts Renewable Energy Trust” and inserting in place thereof the following words:- Climatetech Investment Fund.

SECTION 36. Said section 20 of said chapter 25, as so appearing, is hereby amended by inserting after the words “from”, in line 24, the following words:- revenues from mandatory charges held by.

SECTION 37. Said section 20 of said chapter 25, as so appearing, is hereby further amended by striking out, in line 28, the word “collaborative” and inserting in place thereof the following words:- Massachusetts clean energy technology center.

SECTION 38. Section 2EEEEEE of chapter 29 of the General Laws, as so appearing, is hereby amended by striking out, in line 73, the words “and (iii)” and inserting in place thereof the following words:- (iii) protecting the commonwealth from the elimination, reduction or material delay of federal funds upon a determination by the secretary that the elimination, reduction or material delay of such federal funds would materially impact public health, safety or welfare or the fiscal stability of the commonwealth or any of its political subdivisions, in accordance with guidance issued by the executive office for administration and finance; (iv)

improving the financial stability of hospitals and community health centers in the commonwealth that provide health care to low-income, uninsured or underinsured residents, including by transferring any amounts in the fund to the Health Safety Net Trust Fund established in section 66 of chapter 118E, in accordance with guidance issued by the executive office for administration and finance in consultation with the executive office of health and human services; (v) funding pay-as-you-go capital for any capital project or program up to the amount otherwise authorized by the general court for such project or program in chapter 238 of the acts of 2024, in accordance with guidance issued by the executive office for administration and finance; and (vi).

SECTION 39. Section 8C of chapter 40 of the General Laws, as so appearing, is hereby amended by inserting after the word “thereof”, in line 72, the following words:- ; provided, however, that the commission shall retain a record of any such rules and regulations and any other applicable ordinance or by-law, subject to the provisions of section 7 of chapter 4, which denotes whether each such rule, regulation, ordinance or by-law is more restrictive than the requirements of section 40 of chapter 131 and any accompanying regulations promulgated by the department of environmental protection.

SECTION 40. Section 54A of said chapter 40 is hereby repealed.

SECTION 41. Section 1A of chapter 40A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the definition of “As of right” the following definition:-

“Bulk and height of structures”, the articulation and roof lines of structures; provided, however, that performance standards governing bulk and height of structures may not be more

restrictive than the dimensional requirements set forth by ordinance or by-law, nor require specific building materials; provided, however, that the word “articulation”, as used herein, refers to strategies to address building massing including, but not limited to, wall offsets, height variation, wall setbacks, accent lines, stepbacks or such other industry standard types of articulation as may be proposed by the petitioner.

SECTION 42. Said section 1A of said chapter 40A, as so appearing, is hereby further amended by inserting after the definition of “Permit granting authority” the following definition:-

“Site plan review”, the review and approval process under a municipality’s zoning ordinance or by-law that establishes criteria for the layout, safety and impacts of a proposed use or development, including whether a proposed use of land or structures is in compliance with reasonable performance standards as defined in section 7A; provided, however, that “site plan review”, and the performance standards applicable thereto, in connection with any protected use pursuant to section 3 or any other section of this chapter, shall be limited to the extent required by the provisions of such section.

SECTION 43. Section 3 of said chapter 40A, as so appearing, is hereby amended by inserting the following paragraphs:-

No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special permit or other discretionary zoning approval for the use of land or structures for a single duplex on lots zoned for residential use, or the rental thereof; provided, that the use of land or structures for duplexes may be subject to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq., if applicable, site plan review and regulations concerning dimensional setbacks and the bulk and height of structures; provided further, that regulations concerning the height of

a duplex do not limit height to less than 3 stories; provided further, that municipalities may establish uniform design guidelines for projects built under this paragraph. A local regulation, ordinance, or by-law shall not be more restrictive of duplexes than of single-family dwellings, and shall not, individually or cumulatively, render the development of a duplex physically or financially infeasible. A local regulation that is more restrictive than state minimum requirements shall be presumed unreasonable unless it addresses a specific, articulable concern that cannot be addressed by less restrictive means. Said regulations either individually or cumulatively shall not render the development of land for duplexes physically or financially infeasible and may impose restrictions and prohibitions on the operation of short-term rentals, pursuant to section 14 of chapter 64G and other applicable laws. For the purposes of this paragraph, duplexes shall mean 2 dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy. The executive office of housing and livable communities may issue guidelines or promulgate regulations to administer this paragraph.

SECTION 44. Said chapter 40A is hereby further amended by inserting after section 3B the following section:-

Section 3C. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Adaptive reuse”, the conversion of an existing structure from the use for which it was constructed to multi-family housing or mixed-use development by maintaining the elements of the structure and adapting such elements to the new use.

518 “Board of appeals”, a municipal zoning board of appeals established pursuant to section
519 12.

520 “Bus station”, a location serving as a point of embarkation for any bus operated by a
521 transit authority, including the Massachusetts Bay Transportation Authority Silver Line.

522 “Commercial conversion”, the use of land or structures for the creation and operation of
523 any of the following: (i) adaptive reuse; (ii) new construction of multi-family housing; and (iii)
524 new construction of mixed-use development.

525 “Commercial use”, the use of land or structures for non-residential uses including, but not
526 limited to offices, retail, dining establishments and other similar uses as authorized by the
527 executive office in consultation with the executive office of economic development.

528 “Commercially-zoned lot”, a lot where zoning allows commercial use as-of-right or by
529 special permit.

530 “Commuter rail station”, any commuter rail station operated by a transit authority with
531 year-round service with trains departing at regular time intervals, rather than intermittent,
532 seasonal or event-based service.

533 “Executive office”, the executive office of housing and livable communities.

534 “Ferry terminal”, the location where passengers embark and disembark from a ferry
535 service with year-round service with ferries departing at regular time intervals, rather than
536 intermittent, seasonal or event-based service.

537 “Financially infeasible”, a condition or requirement imposed by the board of appeals that
538 adds unreasonable costs or unreasonably diminishes the economic feasibility of a commercial
539 conversion.

540 “Local board”, any local board or official, including, but not limited to, any board of
541 survey, board of health, board of subdivision control appeals, planning board, conservation
542 commission, historical commission, water, sewer or other commission or district, fire, police,
543 traffic or other department, building inspector or similar official or board, city council or
544 selectboard, regardless of their geographical jurisdiction or their source of authority, including
545 boards established pursuant to any special law or general law, if they perform functions usually
546 performed by locally created boards.

547 “Local contribution”, an incentive provided by a city or town for commercial conversion
548 on a commercially-zoned lot under subsection (c).

549 “Subway station”, any of the stops along the rapid transit system of a transit authority,
550 including the red line, green line, orange line or blue line of the Massachusetts Bay
551 Transportation Authority and any extensions or additions to such lines.

552 “Transit authority”, the Massachusetts Bay Transportation Authority established in
553 section 2 of chapter 161A or any other local or regional transit authority established pursuant to
554 section 3 of chapter 161B or section 14 of said chapter 161B.

555 “Transit station”, a subway station, commuter rail station, ferry terminal or bus station.

556 (b)(1) A city or town subject to this chapter may, pursuant to section 5, amend zoning to
557 allow commercial conversion as of right on every commercially-zoned lot; provided, however,

that a city or town that adopts as of right zoning under this section shall provide not less than 1 adaptive reuse incentive pursuant to subsection (c); and provided further, that as of right zoning established pursuant to this section shall include, but not be limited to, for adaptive reuse, allowing: (i) existing building setbacks to remain and be considered lawfully nonconforming pursuant to section 6; provided, however, that a municipality may prohibit any additional encroachments into any nonconforming setback, unless otherwise required pursuant to clause (ii) or permitted by zoning; (ii) such development to exceed the existing footprint of the building to accommodate upgrades related to building code, fire code and utility requirements; and (iii) such development to exceed the maximum height of the existing zoning district if the structure in existence prior to the adaptive reuse exceeds the maximum height of the existing zoning district. Adaptive reuse for multi-family housing, new multi-family housing and new-construction of mixed-use developments shall be exempt from residential parking requirements that exceed 1 parking space per residential dwelling unit; provided, however, that such commercial conversion projects on lots that are partially or entirely located within a 0.5 mile radius of a transit station shall be exempt from any residential parking requirements.

A city or town may: (i) require that adequate infrastructure, including roads, water and sewage systems, shall be available to support commercial conversion; (ii) restrict development on lots where industrial and manufacturing uses are permitted and where such uses have a substantial and demonstrable likelihood of resulting in impacts that are incompatible with residential use, such as air, noise or odor; (iii) impose affordable housing requirements on commercial conversion through an inclusionary zoning ordinance or by-law to the extent that such affordable housing requirements require not more than 10 per cent of the residential units within a commercial conversion to be subject to such affordable housing requirements and that

such affordable housing requirements do not limit eligibility to households with income of not more than 80 per cent area median income; provided, however, that the executive office, in its discretion, may approve a greater percentage of affordable units or greater affordability requirements for some or all of the affordable units upon request by a city or town as to an individual project in a form as may be designated by the executive office.

Notwithstanding any special or general law, rule or regulation to the contrary, an adaptive reuse commercial conversion under this section shall comply with the base energy code of the state building code but shall not be required to comply with the specialized stretch energy code or the municipal opt-in specialized stretch energy code established pursuant to section 6 of chapter 25A.

(2) Notwithstanding sections 5, 8 and 9, a city or town that has adopted zoning pursuant to paragraph (1) of subsection (b) may establish a streamlined process for an applicant seeking commercial conversion of a commercially-zoned lot to submit a single application for approval of a commercial conversion to the board of appeals in lieu of separate applications to the applicable local boards; provided, however, that such process shall include, but not be limited to:

(i) notification by the board of appeals to each local board, as applicable, of the filing of an application under this paragraph by sending a copy thereof to such local boards for their recommendations on an application; provided, however, that within 30 days of receipt of the application, the board of appeals shall hold a public hearing in conformance with section 11; and

(ii) the ability of the board of appeals to request representatives of local boards to attend the hearing on an application.

Notwithstanding section 7, the board of appeals shall have the same power to issue permits or approvals as any local board or official authorized to act with respect to such application, including, but not limited to, the power to attach to said permit or approval conditions and requirements that are not financially infeasible. The board of appeals, in making a decision on an application, shall take into consideration the recommendations of the local boards and the testimony of any consultants, if applicable. The board of appeals shall render a decision within 60 days of receipt of an application; provided, however, that if a decision is not rendered within such time, unless the time has been extended by mutual agreement between the board of appeals and the applicant, the application shall be deemed to have been allowed and the permit or approval shall issue.

(c) A city or town that adopts zoning pursuant to this section may provide any of the following local contributions: (i) a tax increment exemption for adaptive reuse pursuant to section 5P of chapter 59; (ii) a preference for commercial conversion projects for assistance under a municipal affordable housing trust fund established pursuant to section 55C of chapter 44; (iv) a streamlined approval process pursuant to subparagraph (2) of subsection (b); or (v) any other local contributions as allowed by the executive office.

(d) The executive office may establish additional incentives for cities and towns that adopt zoning and a local contribution pursuant to this section. Such incentives for cities and towns may include, but shall not be limited to, a preference for financial assistance pursuant to section 271/2 of chapter 23B, a preference for tax credits authorized pursuant to subsection (ee) of section 6 of chapter 62 and section 38OO of chapter 63 and other incentives identified by the executive office in consultation with the executive office of economic development and the executive office for administration and finance.

(e) The executive office may, in consultation with the executive office of economic development, promulgate regulations for the implementation and administration of this section.

(f) Any zoning adopted pursuant to paragraph (1) of subsection (b) may be repealed in accordance with section 5.

SECTION 45. Section 5 of said chapter 40A, as appearing in the 2024 Official Edition, is hereby amended by inserting after the word “appeals”, in line 6, the following words:- , a mayor.

SECTION 46. Said section 5 of said chapter 40A, as so appearing, is hereby further amended by striking out, in line 92, the words “or (c) open-space residential development” and inserting in place thereof the following words:- (c) open-space residential development; or (d) commercial conversion pursuant to section 3C.

SECTION 47. Section 6 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “to”, in line 13, the following words:- a structure used for commercial conversion pursuant to section 3C or.

SECTION 48. Said section 6 of said chapter 40A, as so appearing, is hereby further amended by striking out, in lines 34 to 38, inclusive, the words “or site plan approval pursuant to the local ordinance or by-law shall conform to any subsequent amendment of the zoning ordinance or by-law or of any other local land use regulations unless the use or construction is commenced within a period of 3 years after the issuance of the special permit or site plan approval” and inserting in place thereof the following words:- , site plan approval pursuant to the local ordinance or by-law or a permit for commercial conversion issued pursuant to section 3C shall conform to any subsequent amendment of the zoning ordinance or by-law or of any other

local land use regulations unless the use or construction is commenced within a period of 3 years after the issuance of the special permit, site plan approval or permit for commercial conversion.

SECTION 49. Said chapter 40A is hereby further amended by inserting after section 7 the following section:—

Section 7A. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Designated authority”, the local municipal board, committee or officials designated in the zoning ordinance or by-law to conduct site plan review.

“Performance standards”, reasonable, written municipal zoning regulations, published industry standards and best practices, applicable to site plans and relative to traffic circulation and safety, pedestrian safety and access, off-street parking and loading, emergency vehicle access, stormwater drainage, screening, bulk and height of structures, exterior lighting and storage or other outdoor service areas.

(b) Substantive provisions of site plan review, including content of submission requirements and applicable performance standards, governing site plan review and approval by the designated authority or authorities shall be as set forth within a local ordinance or by-law adopted pursuant to section 5. Performance standards shall be reasonably definite and objective so that any applicant has knowledge of such standards prior to application submission. No zoning ordinance or by-law may include performance standards governing the aesthetics of structures. The designated authority may, where such action is in the public interest and not inconsistent with the intent and purpose of this section, waive strict compliance with the performance standards for site plan review. The designated authority may adopt, and from time

to time amend, written procedural rules and regulations to implement the local site plan review ordinance or by-law, including provisions for the imposition of reasonable fees for the employment of outside consultants in the same manner as set forth in section 53G of chapter 44.

(c) A zoning ordinance or by-law may establish applicability standards for projects that are subject to site plan review, which may include a category of projects that are subject to a minor or administrative site plan review process. The zoning ordinance or by-law may require a public hearing in accordance with section 11 for projects that meet or exceed specified thresholds under the zoning ordinance or by-law. The decision of the designated authority for a use allowed as of right, or for a use requiring a special permit but reviewed by a separate designated authority, shall require a simple majority vote of the designated authority and shall be made within the time limits prescribed by ordinance or by-law, not to exceed 90 days from the date of filing of a complete application or such extended time as may be agreed in writing by the petitioner. The submission and review process for a site plan required in connection with the issuance of a special permit, and subject to review by the same permit granting authority as the special permit application, shall be conducted with the review of the special permit application in a coordinated process and may require the same vote required for approval of a special permit. The ordinance or by-law may establish the designated authority to be the building commissioner, director of planning or other municipal official who coordinates administrative site plan review with other municipal employees, in which instance there shall be no vote requirement for site plan review. Any appeal from administrative site plan review shall be in accordance with section 17 unless an ordinance or by-law first provides for an appeal to another public body of the municipality. In no instance shall the issuance or denial of a building permit be a prerequisite to filing a civil action under this section.

(d) Site plan review may impose only those conditions that are necessary to ensure substantial compliance of the proposed use of land or structures with the requirements of the zoning ordinance or by-law; provided, however, that no condition may impose restrictions greater than those expressly regulated within the zoning ordinance or by-law and no conditions may be imposed regarding matters over which jurisdiction exclusively lies in another body pursuant to any general or special law; and provided further, that any off-site conditions shall only address direct adverse impacts related to performance standards expressly governed by the zoning ordinance or by-law and which conditions are proportionate in both nature and extent to the impacts of the project on adjacent properties or adjacent roadways.

(e) A site plan application may be denied only on the grounds that the: (i) proposed site plan does not meet the specific requirements set forth in the zoning ordinance or by-law; or (ii) petitioner failed to submit the information and fees required by the zoning ordinance or by-law necessary for an adequate and timely review of the design of the proposed land or structures.

(f) The designated authority shall cause to be made a detailed record of its proceedings, indicating the vote of each member upon each question, or if a member is absent or fails to vote, indicating such fact, and setting forth clearly the reason for its decision and of its official actions, copies of all of which shall be filed within 14 days in the office of the city or town clerk and shall be deemed a public record, and notice of the decision shall be mailed forthwith to the petitioner and, if such site plan review required a public hearing pursuant to the zoning ordinance or by-law, to the parties in interest designated in section 11. Each such notice shall specify that appeals, if any, shall be made pursuant to section 17 and shall be filed within 20 days after the date of filing of such notice in the office of the city or town clerk. Failure by the designated authority to take final action within 90 days or extended time, if applicable, shall be deemed to

714 be an approval of the site plan. The petitioner who seeks such approval by reason of the failure
715 of the designated authority to act within such time prescribed, shall notify the city or town clerk,
716 in writing within 14 days from the expiration of said 90 days or extended time, if applicable, of
717 such approval. If site plan review required a public hearing, the petitioner shall send such notice
718 to parties in interest designated in said section 11 by mail and each such notice shall specify that
719 appeals, if any, shall be made pursuant to said section 17 and shall be filed within 20 days after
720 the date the city or town clerk received such written notice from the petitioner that the designated
721 authority failed to act within the time prescribed. After the expiration of 20 days without notice
722 of appeal pursuant to said section 17, or, if appeal has been taken, after receipt of certified
723 records of the court in which such appeal is adjudicated, indicating that such approval has
724 become final, the city or town clerk shall issue a certificate stating the date of approval, the fact
725 that the designated authority failed to take final action and that the approval resulting from such
726 failure has become final, and such certificate shall be forwarded to the petitioner.

727 (g) A site plan approval granted under this section shall lapse within a specified period of
728 time, not less than 3 years from the date of the filing of such approval with the city or town clerk,
729 if substantial use or construction has not yet begun, except as extended for good cause by the
730 designated authority; provided, however, that the minimum period of 3 years may be increased to
731 a longer period by ordinance or by-law. Such specified period shall not include time required to
732 pursue or await the determination of an appeal under section 17 or to pursue or await the appeal
733 of any other permit, license, determination or approval that are prerequisites to the issuance of a
734 building permit.

735 SECTION 50. Section 14 of said chapter 40A, as appearing in the 2024 Official Edition,
736 is hereby amended by inserting after clause (4) the following clause:- (5) To hear and decide

applications for commercial conversion upon which the board is empowered to act under paragraph (2) of subsection (b) of section 3C.

SECTION 51. Section 15 of said chapter 40A, as so appearing, is hereby amended by striking out, in lines 36 and 37, the words “The board of appeals shall hold a hearing on any appeal, application or petition within sixty-five” and inserting in place thereof the following words:- Except as provided under clause (i) of paragraph (2) of subsection (b) of section 3C, the board of appeals shall hold a hearing on any appeal, application or petition within 65.

SECTION 52. The fifth paragraph of said section 15 of said chapter 40A, as so appearing, is hereby amended by striking out the first to seventh sentences, inclusive, and inserting in place thereof the following 7 sentences:-

All hearings of the board of appeals shall be open to the public and shall be opened within 30 days of any petition or application. Any such hearing shall extend for not more than 60 days from the date the hearing is opened. The decision of the board shall be made within 100 days after the date of the filing of an appeal, application or petition, except in regard to permits for commercial conversion, as provided for in clause (iv) of paragraph (2) of subsection (b) of section 3C, and special permits, as provided for in section 9. The required time limits for a public hearing and said decision may be extended by written agreement between the applicant and the board of appeals. A copy of such agreement shall be filed in the office of the city or town clerk. Failure by the board to act within the times prescribed or extended time agreed upon, if applicable, shall be deemed to be the granting of the appeal, application or petition. The applicant who seeks such approval by reason of the failure of the board to act within the time prescribed shall notify the city or town clerk, in writing, within 14 days from the expiration of

said period or extended time, if applicable, of such approval and that notice has been sent by the applicant to parties in interest.

SECTION 53. The fourth paragraph of section 4 of chapter 40G of the General Laws, as so appearing, is hereby amended by striking out clause (8) and inserting in place thereof the following clause:-

(8) the enterprise will report adequate financial data to the MTDC and provide the MTDC with sufficient control over the management of the enterprise, so as to protect the investment of the MTDC, including, in the discretion of the board, right of access to financial and other records of the enterprise.

SECTION 54. Said section 4 of said chapter 40G, as so appearing, is hereby further amended by striking out, in line 68, the words “(1) Not more than \$1,000,000” and inserting in place thereof the following words:- Not more than \$2,000,000.

SECTION 55. Said section 4 of said chapter 40G, as so appearing, is hereby further amended by striking out, in line 69, the figure “\$2,000,000” and inserting in place thereof the following figure:- \$4,000,000.

SECTION 56. The last paragraph of said section 4 of said chapter 40G, as so appearing, is hereby amended by striking out clause (2).

SECTION 57. Section 6 of said chapter 40G, as so appearing, is hereby amended by striking out, in line 2, the word “ninety,” and inserting in place thereof the following figure:- 120.

779 SECTION 58. Said section 6 of said chapter 40G, as so appearing, is hereby further
780 amended by striking out, in lines 5 to 7, inclusive, the words “and the number of persons hired as
781 a result of the activities of the corporation who were recipients of programs provided for in
782 chapter 115, 117A, or 118”.

783 SECTION 59. Chapter 40J of the General Laws is hereby further amended by striking out
784 section 3, as so appearing, and inserting in place thereof the following section:-

785 Section 3. There is hereby created a body, politic and corporate, to be known as the
786 Massachusetts Technology Park Corporation, hereinafter referred to as the corporation. The
787 corporation is hereby constituted a public instrumentality of the commonwealth, and the exercise
788 by the corporation of the powers conferred in this chapter shall be deemed and held to be an
789 essential governmental function. The corporation is hereby placed in the executive office of
790 economic development but shall not be subject to the supervision or control of said department
791 or of any board, bureau, department or other agency of the commonwealth, except as specifically
792 provided in this chapter.

793 The corporation shall be governed, and its corporate powers exercised, by a board of
794 directors, which shall consist of the secretary of economic development or their designee, the
795 secretary of administration and finance or their designee, the commissioner of higher education
796 or their designee and 15 persons to be appointed by the governor, 2 of whom shall be appointed
797 from a list of persons nominated by the president of the senate, 2 of whom shall be appointed
798 from a list of persons nominated by the speaker of the house of representatives, 2 of whom shall
799 be chief executive officers of post-secondary educational institutions or distinguished members
800 of the engineering or scientific faculties of those institutions, or members of other appropriate

801 faculties, and of those 2, at least 1 shall represent a public post-secondary educational institution
802 and 6 of whom shall represent businesses concerned with any technology that may be subject to
803 this chapter, and 2 of whom shall be recommended by the Massachusetts AFL-CIO. Each
804 director appointed from the list of nominations provided by the president of the senate and the
805 speaker of the house of representatives shall serve a term of 2 years to be coterminous with the
806 legislative session of the general court. All other directors appointed by the governor shall serve
807 for a term of 5 years and thereafter until the director's successor is appointed. A person
808 appointed to fill a vacancy on the board shall be appointed in a like manner and shall serve for
809 the unexpired term of the predecessor director. A director shall be eligible for reappointment. A
810 director may be removed by the governor for cause. Nine directors shall constitute a quorum and
811 the affirmative vote of a majority of the directors present and eligible to vote at a meeting shall
812 be necessary for any action to be taken by the board. The directors shall serve without
813 compensation, but each director shall be entitled to reimbursement for actual and necessary
814 expenses incurred in the performance of official duties. The board shall meet not less than 4
815 times each year and shall have final authority over the activities of the corporation.

816 The secretary of economic development or their designee shall serve as chair. The board
817 shall biennially elect from among its members a vice-chair and may designate a treasurer and a
818 secretary, who need not be members of the board. The secretary of the board shall keep a record
819 of the proceedings of the corporation and shall be the custodian of all books, documents and
820 papers filed with the corporation and its official seal. The secretary of the board shall cause
821 copies to be made of all minutes and other records and documents of the corporation and shall
822 certify that such copies are true copies and all persons dealing with the corporation may rely
823 upon such certification. The treasurer of the board shall be the chief financial and accounting

824 officer of the corporation and shall be in charge of its funds, books of account and accounting
825 records.

826 The executive committee of the board shall consist of the chair and the vice-chair and not
827 less than 3 directors elected biennially by the board from among its members, 1 of whom shall be
828 a director representing a post-secondary educational institution and 1 of whom shall be a director
829 from a business. The executive committee shall have all the powers of the board between
830 meetings of the board, to be exercised in accordance with by-laws established by the board. The
831 executive committee shall meet as often as considered necessary by the committee.

832 An action required or permitted to be taken at a meeting of the directors may be taken
833 without a meeting if all of the directors consent in writing to such action and such written
834 consent is filed with the records of the minutes of the meetings of the board. Such consent shall
835 be treated for all purposes as a vote at a meeting.

836 Chapter 268A shall apply to all directors, officers and employees of the corporation
837 except that the corporation may purchase from, sell to, borrow from, contract with or otherwise
838 deal with an organization in which a director of the corporation is in any way interested or
839 involved; provided, however, that such interest or involvement is disclosed in advance to the
840 directors and recorded in the minutes of the proceedings of the corporation; and provided further,
841 that no director having such an interest or involvement may participate in any decision relating to
842 such organization.

843 Neither the corporation nor its officers, directors, agents, employees, consultants or
844 advisors shall be subject to sections 3B of chapter 7, sections 9A, 45, 46 and 52 of chapter 30,
845 chapter 31, or sections 27 and to 27E, inclusive, of chapter 149; provided, however, that in

846 purchasing products or services, the corporation shall at all times follow generally accepted good
847 business practices.

848 All officers and employees of the corporation having access to its cash or negotiable
849 securities shall give bond to the corporation at its expense, in such amount and with such surety
850 as the board may prescribe. The persons required to give bond may be included in at least 1
851 blanket or scheduled bonds.

852 Directors and officers who are not regular, compensated employees of the corporation
853 shall not be liable to the commonwealth, the corporation or any other person as a result of their
854 activities, whether ministerial or discretionary, as such directors or officers except for willful
855 dishonesty or intentional violations of law. The board of the corporation may purchase liability
856 insurance for directors, officers and employees and may indemnify said persons against the
857 claims of others.

858 SECTION 60. Section 56 of chapter 41 of the General Laws, as so appearing, is hereby
859 amended by striking out the last sentence and inserting in place thereof the following sentence:-

860 This section shall not prohibit payment to be made for: (i) school travel prior to the date
861 of travel; (ii) software licenses, software maintenance agreements or online subscription services
862 for school curriculum prior to the fiscal year in which services shall be rendered; or (iii)
863 estimates issued by utilities for make-ready work to facilitate access to utility poles, conduits,
864 ducts or rights-of way related to broadband infrastructure projects.

865 SECTION 61. Chapter 59 of the General Laws is hereby amended by inserting after
866 section 50 the following section:-

Section 5P. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:-

“Adaptive reuse”, as defined in section 3C of chapter 40A.

“Zoning”, as defined in section 1A of chapter 40A.

(b) A city or town that adopts zoning pursuant to section 3C of chapter 40A, may adopt a tax increment exemption for an adaptive reuse project allowed as of right under such zoning. The exemption amount shall be not less than 10 per cent and not more than 100 per cent of the incremental value attributable to the residential portion of an adaptive reuse project allowed as of right under zoning established pursuant to said section 3C of said chapter 40A for a period of not less than 5 years and not more than 20 years. The legislative body of the city or town shall establish the percentage and term of the exemption, subject to the charter of the city or town and the approval of the executive office of housing and livable communities.

(c) The executive office of housing and livable communities may promulgate regulations for the administration of this section.

SECTION 62. Section 17 of chapter 61A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by adding the following paragraph:-

Notwithstanding the previous paragraph, if the portion of land is contiguous land not actively devoted to agricultural or horticultural uses and is so separated to serve as the site of a renewable energy generating source, as defined in subsection (b) of section 11F of chapter 25A, the land so separated shall not be subject to the option to purchase under section 14 and liability for conveyance or roll-back taxes otherwise applicable at such time; provided, however, that

888 such land so separated shall instead be subject to liability for 50 per cent of such otherwise
889 applicable roll-back taxes, which shall be due and payable at the time it commences serving as
890 the site of a renewable energy generating source. If the use of the land so separated as a
891 renewable energy generating source permanently ceases, or does not commence, and the land so
892 separated is sold for or converted to a use other than agricultural or horticultural, the land so
893 separated shall become subject to the option to purchase and conveyance or roll-back taxes shall
894 be assessed for the balance of the amount that would have been assessed at the time of the
895 separation. The land so separated subject to this paragraph shall not exceed 10 per cent of the
896 land valued, assessed and taxed under this chapter from which it was separated and not greater,
897 in total, than 15 acres of the contiguous portion of such land not actively devoted to agricultural
898 or horticultural uses.

899 SECTION 63. Subsection (r) of section 6 of chapter 62 of the General Laws, as so
900 appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the
901 following paragraph:-

902 (1) A taxpayer, to the extent authorized by the life sciences tax incentive program
903 established in section 5 of chapter 23I, may be allowed a refundable jobs credit against the tax
904 liability imposed under this chapter in an amount and schedule determined by the Massachusetts
905 Life Sciences Center in consultation with the department. The credit allowed under this
906 subsection shall be taken only after the taxpayer executes a contract under paragraph (2) of
907 subsection (d) of section 5 of chapter 23I.

SECTION 64. Said section 6 of said chapter 62, as so appearing, is hereby further amended by striking out, in line 920, the figure “50” and inserting in place thereof the following figure:- 25.

SECTION 65. Said subsection (r) of said section 6 of said chapter 62, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

(5) If the Massachusetts Life Sciences Center makes a determination to revoke a life sciences company pursuant to paragraph (4) of subsection (e) of section 5 of chapter 23I, a portion of the tax credit otherwise allowed by this section and claimed by the taxpayer prior to the date of such determination shall be added back as additional tax due and shall be reported as such on the return of the taxpayer for the taxable period in which such determination is made. The amount of credits subject to recapture shall be proportionate to the life science company’s compliance, as determined by the Massachusetts Life Sciences Center as part of its revocation process and reported to the center and the department at the time certification is revoked.

(6) Nothing in this subsection shall limit the authority of the commissioner to make an adjustment to a taxpayer’s liability upon audit.

SECTION 66. Said section 6 of said chapter 62, as so appearing, is hereby further amended by inserting after the word “facility”, in line 1687, the following words:- in the case of an owner and not more than 50 per cent of the owner and tenant’s combined total capital investment in a climatetech facility in the case of a tenant.

SECTION 67. Said section 6 of said chapter 62, as so appearing, is hereby further amended by striking out, in line 1702, the words “has made a” and inserting in place thereof the following words:- and tenant have made a combined.

SECTION 68. Subsection (hh) of said section 6 of said chapter 62, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) A taxpayer, to the extent authorized by the climatetech tax incentive program established in section 16 of chapter 23J, may be allowed a refundable jobs credit against the tax liability imposed under this chapter in an amount and schedule determined by the Massachusetts clean energy technology center established in section 2 of said chapter 23J, in consultation with the department of revenue. The credit allowed under this section shall be taken only after the taxpayer executes a contract under paragraph (3) of subsection (d) of section 16 of chapter 23J.

SECTION 69. Said subsection (hh) of said section 6 of said chapter 62, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

(6) If the Massachusetts clean energy technology center makes a determination to revoke the certification of a climatetech company pursuant to paragraph (2) of subsection (c) of section 16 of chapter 23J, a portion of the tax credit otherwise allowed by this section and claimed by the taxpayer prior to the date of such determination shall be added back as additional tax due and shall be reported as such on the return of the taxpayer for the taxable period in which such determination is made. The amount of credits subject to recapture shall be proportionate to the certified climatetech company's compliance, as determined by the Massachusetts clean energy technology center as part of its revocation process and reported to the center and the department at the time certification is revoked.

(7) Nothing in this subsection shall limit the authority of the commissioner to make an adjustment to a taxpayer's liability upon audit.

SECTION 70. Section 6J of said chapter 62, as so appearing, is hereby amended by inserting after the word “criteria”, in line 46, the following words:- , and there shall be a preference for projects that are adaptive reuse allowed as-of-right in commercially zoned districts pursuant to section 3C of chapter 40A.

SECTION 71. Subsection (b) of section 21 of chapter 62C of the General Laws, as so appearing, is hereby amended by adding the following 3 paragraphs:-

(32) the disclosure to the life sciences center established in section 3 of chapter 23I of return and wage reporting information of a life sciences company certified pursuant to subsection (b) of section 5 of chapter 23I, that is: (i) received by the commissioner pursuant to this chapter or chapter 62E; and (ii) necessary for the administration of the life sciences tax incentive program authorized by subsection (d) of section 5 of chapter 23I.

(33) the disclosure to the clean energy technology center established in section 2 of chapter 23J of return and wage reporting information of a climatetech company certified pursuant to subsection (b) of section 16 of chapter 23J, that is: (i) received by the commissioner pursuant to this chapter or chapter 62E; and (ii) necessary for the administration of the climatetech tax incentive program authorized by paragraph (1) of subsection (d) of section 16 of chapter 23J.

(34) the disclosure to the clean energy technology center established in section 2 of chapter 23J of return and wage reporting information of an offshore wind company certified pursuant to subsection (b) of section 8A of chapter 23J, that is: (i) received by the commissioner pursuant to this chapter or chapter 62E; and (ii) necessary for the administration of the offshore wind tax incentive program authorized by subsection (d) of section 8A of chapter 23J.

974 SECTION 72. Section 38R of chapter 63 of the General Laws, as so appearing, is hereby
975 amended by inserting, after the word “criteria”, in line 45, the following words:- and there shall
976 be a preference for projects that are adaptive reuse allowed as-of-right in commercially zoned
977 districts pursuant to section 3C of chapter 40A.

978 SECTION 73. Section 38U of said chapter 63, as so appearing, is hereby amended by
979 striking out, in lines 51 and 52, the words “neither credit allowed by section 31A nor section 31H
980 is taken” and inserting in place thereof the following words:- the credit allowed by section 31H is
981 not taken.

982 SECTION 74. Section 38CC of said chapter 63, as so appearing, is hereby amended by
983 striking out subsection (a) and inserting in place thereof the following subsection:-

984 (a) A taxpayer, to the extent authorized by the life sciences tax incentive program
985 established in section 5 of chapter 23I, may be allowed a refundable jobs credit against the tax
986 liability imposed under this chapter in an amount and schedule determined by the Massachusetts
987 Life Sciences Center in consultation with the department. The credit allowed under this section
988 shall be taken only after the taxpayer executes a contract under paragraph (2) of subsection (d) of
989 section 5 of chapter 23I.

990 SECTION 75. Said section 38CC of said chapter 63, as so appearing, is hereby further
991 amended by striking out, in line 7, the figure “50” and inserting in place thereof the following
992 figure:- 25.

993 SECTION 76. Subsection (c) of said section 38CC of said chapter 63, as so appearing, is
994 hereby amended by adding the following sentence:- If the taxpayer is subject to a minimum

995 excise under this chapter, the amount of the credit allowed by this section shall not reduce the
996 excise to an amount less than the minimum excise.

997 SECTION 77. Said section 38CC of said chapter 63, as so appearing, is hereby further
998 amended by striking out, in line 20, the figure “\$30,000,000” and inserting in place thereof the
999 following figure:- \$40,000,000.

1000 SECTION 78. Said section 38CC of said chapter 63, as so appearing, is hereby further
1001 amended by adding the following 2 subsections:-

1002 (e) If the Massachusetts Life Sciences Center makes a determination to revoke the
1003 certification of a life sciences company pursuant to paragraph (4) of subsection (e) of section 5 of
1004 chapter 23I, a portion of the tax credit otherwise allowed by this section and claimed by the
1005 company prior to the date of such determination shall be added back as additional tax due and
1006 shall be reported as such on the return of the taxpayer for the taxable period in which such
1007 determination is made. The amount of credits subject to recapture shall be proportionate to the
1008 company’s compliance, as determined by the Massachusetts Life Sciences Center as part of its
1009 revocation process and reported to the corporation and the department at the time certification is
1010 revoked.

1011 (f) Nothing in this section shall limit the authority of the commissioner of revenue to
1012 make an adjustment to a corporation's liability upon audit.

1013 SECTION 79. Section 38RR of said chapter 63, as so appearing, is hereby amended by
1014 inserting after the word “facility”, in line 29, the following words:- in the case of an owner and
1015 not more than 50 per cent of the owner and tenant’s combined total capital investment in a
1016 climatetech facility in the case of a tenant.

1017 SECTION 80. Said section 38RR of said chapter 63, as so appearing, is hereby further
1018 amended by striking out, in lines 44 to 45, the words “owner’s total capital investment in the
1019 facility equals” and inserting in place thereof the following words:- owner and tenant have made
1020 a combined total capital investment in the facility that is.

1021 SECTION 81. Section 38TT of said chapter 63, as so appearing, is hereby amended by
1022 striking out subsection (a) and inserting in place thereof the following subsection:-

1023 (a) A taxpayer, to the extent authorized by the climatetech tax incentive program
1024 established in subsection (d) of section 16 of chapter 23J, may be allowed a refundable jobs
1025 credit against the tax liability imposed under this chapter in an amount and schedule determined
1026 by the Massachusetts clean energy technology center established in section 2 of said chapter 23J,
1027 in consultation with the department of revenue. The credit allowed under this section shall be
1028 taken only after the taxpayer executes a contract pursuant to paragraph (3) of subsection (d) of
1029 section 16 of said chapter 23J.

1030 SECTION 82. Said section 38TT of said chapter 63, as so appearing, is hereby further
1031 amended by adding the following 2 subsections:-

1032 (e) If the Massachusetts clean energy technology center makes a determination to revoke
1033 the certification of a climatetech company pursuant to paragraph (2) of subsection (c) of section
1034 16 of chapter 23J, a portion of the tax credit otherwise allowed by this section and claimed by the
1035 taxpayer prior to the date of such determination shall be added back as additional tax due and
1036 shall be reported as such on the return of the taxpayer for the taxable period in which the
1037 determination to revoke the certification is made. The amount of credits subject to recapture shall
1038 be proportionate to the certified climatetech company’s compliance, as determined by the

1039 Massachusetts clean energy technology center as part of its revocation process and reported to
1040 the corporation and the department at the time certification is revoked.

1041 (f) Nothing in this section shall limit the authority of the commissioner of revenue to
1042 make an adjustment to a corporation's liability upon audit.

1043 SECTION 83. Subsection (qq) of section 6 of chapter 64H of the General Laws, as so
1044 appearing, is hereby amended by striking out the first sentence and inserting in place thereof the
1045 following sentence:- Sales of gas, steam, electricity or heating fuel for use by any business that
1046 has not more than 10 employees and that had gross income of not more than \$2,000,000 for the
1047 preceding calendar year and that reasonably expects gross income of not more than \$2,000,000
1048 for the current calendar year.

1049 SECTION 84. Section 2 of chapter 70B of the General Laws, as so appearing, is hereby
1050 amended by striking out, in lines 46 and 47, the words “and which meet the purposes of
1051 subsection (c) of section 9 of chapter 23J”.

1052 SECTION 85. Section 1 of chapter 90 of the General Laws, as so appearing, is hereby
1053 amended by inserting after the definition of “Class 2 electric bicycle” the following definition:-

1054 “Class 3 electric bicycle”, an electric bicycle or tricycle equipped with a motor that
1055 provides assistance only when the rider is pedaling and that ceases to provide assistance when
1056 the bicycle reaches or exceeds the speed of 28 miles per hour.

1057 SECTION 86. Said section 1 of said chapter 90, as so appearing, is hereby further
1058 amended by inserting after the definition of “Cross-over mirror” the following definition:-

1059 “Cycle”, a powered or unpowered device with functional human-powered pedals or a
1060 device without human-powered pedals on which a rider is seated during operation, including
1061 bicycles as defined in section 1 of chapter 90E.

1062 SECTION 87. Said section 1 of said chapter 90, as so appearing, is hereby further
1063 amended by striking out, in line 104, the words “or a class 2 electric bicycle” and inserting in
1064 place thereof the following words:- , a class 2 electric bicycle or a class 3 electric bicycle;
1065 provided, however, that “electric bicycle” shall not include a motorized bicycle.

1066 SECTION 88. Said section 1 of said chapter 90, as so appearing, is hereby further
1067 amended by inserting after the definition of “Massachusetts license” the following definition:-

1068 “Micromobility device”, a small, lightweight transportation device intended for personal
1069 use as an alternative to motor vehicles for travel in public access areas, including ways and
1070 bikeways, and as may be further defined by regulations promulgated by the registrar; provided,
1071 however, that a “micromobility device” shall not include a motor vehicle, motorcycle, motorized
1072 bicycle or moped, low speed vehicle, limited use motorcycle or low speed motorcycle.

1073 SECTION 89. Said section 1 of said chapter 90, as so appearing, is hereby further
1074 amended by inserting after the definition of “Mobile telephone” the following definition:-

1075 “Mobility aid device”, a device used by a pedestrian with a mobility disability to assist
1076 with indoor and outdoor locomotion, including an electric personal assistive mobility device
1077 used by a vulnerable user, a group wheelchair, a mobility cart and other such devices.

1078 SECTION 90. Said section 1 of said chapter 90, as so appearing, is hereby further
1079 amended by striking out the definition of “Motorized bicycle” and inserting in place thereof the
1080 following definition:-

1081 “Motorized bicycle” or “moped”, a pedal bicycle that has a helper motor or a non-pedal
1082 bicycle that: (i) has a motor, with a cylinder capacity not exceeding 50 cubic centimeters or the
1083 hybrid or electric powered equivalent; (ii) has an automatic transmission; and (iii) is capable of a
1084 maximum speed of not more than 30 miles per hour; provided, however, that “motorized
1085 bicycle” shall not include an electric bicycle.

1086 SECTION 91. Said section 1 of said chapter 90, as so appearing, is hereby further
1087 amended by striking out the definition of “Motorized scooter”.

1088 SECTION 92. Said section 1 of said chapter 90, as so appearing, is hereby further
1089 amended by inserting after the definition of “Motor vehicles” the following definition:-

1090 “Nationally recognized testing laboratory”, as defined in 29 C.F.R 1910.7.

1091 SECTION 93. Said section 1 of said chapter 90, as so appearing, is hereby further
1092 amended by inserting after the definition of “Police officer” the following definition:-

1093 “Powered micromobility device”, a micromobility device that has an onboard motor
1094 capable of delivering tractive power to the device as power-assist to human-powered propulsion
1095 or as sole propulsion or throttle; provided, however, that “powered micromobility device” shall
1096 include electric scooters, skateboards, hoverboards and unicycles with onboard motors; and
1097 provided further, that “powered micromobility device” shall not include mobility aid devices.

1098 SECTION 94. Said section 1 of said chapter 90, as so appearing, is hereby further
1099 amended by inserting after the definition of “School pupil” the following definition:-

1100 “Scooter”, a powered or unpowered device without pedals where the rider can sit or stand
1101 on a footboard for typical operation.

1102 SECTION 95. Said section 1 of said chapter 90, as so appearing, is hereby further
1103 amended by inserting after the definition of “Semi-trailer unit” the following definition:-

1104 “Solely human-powered micromobility device” or “unpowered micromobility device”, a
1105 micromobility device propelled exclusively by human muscular effort that has no onboard motor
1106 capable of delivering tractive power to the device; provided, however, that “solely human
1107 powered micromobility device” shall include, but shall not be limited to, non-electric bicycles,
1108 unpowered scooters, skateboards, longboards, unicycles, roller skates, inline skates and other
1109 such unpowered micromobility devices; and provided further, that “solely human-powered
1110 micromobility device” or “unpowered micromobility device” shall not include mobility aid
1111 devices.

1112 SECTION 96. The first paragraph of section 1B of said chapter 90, as so appearing, is
1113 hereby amended by striking out the last sentence and inserting in place thereof the following 2
1114 sentences:- A motorized bicycle shall not be operated upon any way within the commonwealth
1115 without obtaining an annual registration and sticker or plate bearing a distinctive number, by an
1116 application as prescribed by the registrar. Motorized bicycles shall be excluded from operating
1117 on bike lanes and off-street recreational bicycle paths.

1118 SECTION 97. Said section 1B of said chapter 90, as so appearing, is hereby further
1119 amended by adding the following paragraph:-

1120 No motorized bicycle shall be registered under this section unless the application is
1121 accompanied by a certificate as defined in section 34A or unless the registrar is otherwise
1122 satisfied that the applicant and motorized bicycle have compulsory liability insurance.

1123 SECTION 98. Section 1C of said chapter 90, as so appearing, is hereby amended by
1124 striking out, in line 1, the words “and motorized scooters”.

1125 SECTION 99. Section 1E of said chapter 90 is hereby repealed.

1126 SECTION 100. Said chapter 90 is hereby further amended by inserting after section 2 the
1127 following section:-

1128 Section 21/2. (a) The registrar of motor vehicles may issue number or registration plates
1129 for motor vehicles or micromobility devices not otherwise defined in section 1; provided,
1130 however, that a motor vehicle or micromobility device shall not be eligible to be registered
1131 pursuant to chapter 90B.

1132 (b) The registrar, in consultation with the division of insurance, may promulgate
1133 regulations, including, but not limited to: (i) definitions for each type of motor vehicle or
1134 micromobility devices not otherwise defined in section 1; (ii) requirements for registration and
1135 operation; (iii) any restrictions for registration and operation; (iv) equipment requirements; (v)
1136 inspection requirements; and (vi) insurance required for such motor vehicles and micromobility
1137 devices.

1138 SECTION 101. Section 2F of said chapter 90, as appearing in the 2024 Official Edition,
1139 is hereby amended by striking out, in line 4, the figure “\$100,000” and inserting in place thereof
1140 the following figure:- \$50,000.

1141 SECTION 102. Section 8B of said chapter 90, as so appearing, is hereby amended by
1142 striking out, in line 20, the words “or motorized scooter”.

1143 SECTION 103. Said chapter 90 is hereby further amended by adding the following
1144 section:-

1145 Section 64. (a) For purposes of this section, the following words shall have the following
1146 meanings unless the context clearly requires otherwise:

1147 “Maximum designed speed tier classification system”, the system by which
1148 micromobility devices are categorized according to the maximum speed, measured in miles per
1149 hour, that the manufacturer designed the device to attain on a flat surface in normal conditions by
1150 an average rider.

1151 “Shared use path”, a path intended for transportation or recreational use that is designed
1152 for people of all ages and abilities on foot or using motorized or non-motorized micromobility
1153 devices and is physically separated from motorized vehicle traffic within a highway right-of-way
1154 or an independent right-of-way with few crossflows with motor vehicles.

1155 “Speed tier 0”, all unpowered micromobility devices and powered micromobility devices
1156 with a maximum manufacturer assisted or designed speed, whichever is higher, of not more than
1157 20 miles per hour, including, but not limited to, unpowered micromobility devices, class 1 and
1158 class 2 electric bicycles and mobility aid devices.

1159 “Speed tier 1”, powered micromobility devices with a maximum manufacturer assisted or
1160 designed speed, whichever is higher, of not less than 21 miles per hour and not more than 30
1161 miles per hour, including, but not limited to, class 3 electric bicycles.

1162 “Speed tier 2”, powered micromobility devices with a maximum manufacturer assisted or
1163 designed speed, whichever is higher, of not less than 31 miles per hour and not more than 40
1164 miles per hour; provided, however, that “speed tier 2” shall not include low speed vehicles,
1165 limited use motorcycles or low speed motorcycles.

1166 “Speed tier 3”, powered micromobility devices with a maximum manufacturer assisted or
1167 designed speed, whichever is higher, greater than 40 miles per hour.

1168 (b) Except as otherwise provided by state or federal law or regulations of the registrar,
1169 powered micromobility devices sold, leased, rented or operated in the commonwealth shall have
1170 a minimum battery rating of UL 2271 or equivalent standard, as certified by a nationally
1171 recognized testing laboratory.

1172 (c) Except as otherwise provided by state or federal law or regulations of the registrar,
1173 powered micromobility devices sold, leased, rented or operated in the commonwealth, except
1174 electric bicycles, shall have a minimum electrical system level rating of UL 2272 or equivalent
1175 standard, as certified by a nationally recognized testing laboratory. Electric bicycles sold, leased,
1176 rented or operated in the commonwealth shall have a minimum electrical system level rating of
1177 UL 2849 or equivalent standard, as certified by a nationally recognized testing laboratory.

1178 (d) Except as otherwise provided by state or federal law or regulations of the registrar,
1179 motorized bicycles or mopeds powered by a lithium-ion battery sold, leased, rented or operated
1180 in the commonwealth shall have a minimum electrical system level rating UL 2850 or equivalent
1181 standard, as certified by a nationally recognized testing laboratory.

1182 (e)(1)(A) Except as otherwise required by state or federal law or regulations of the
1183 registrar, speed tier 0 and speed tier 1 micromobility devices sold, leased, rented or operated in

the commonwealth shall be equipped with lights, brakes and an audible warning that satisfy the requirements of section 11B of chapter 85 and federal requirements for bicycle reflectors and brakes established in 16 C.F.R. 1512.

(B) Except as otherwise required by state or federal law or regulations of the registrar, speed tier 2 and speed tier 3 micromobility devices sold, leased, rented or operated in the commonwealth shall be equipped with lights, brakes and a horn that satisfy the requirements for motor vehicles established in 49 C.F.R. 571.

(2)(A) Except as otherwise provided by state or federal law or regulations of the registrar, any person 16 years of age or younger operating a speed tier 0 micromobility device, except for a mobility aid device, or being carried as a passenger on such micromobility device on a public way, bicycle path or on any other public right-of-way shall wear a helmet. Said helmet shall fit the person's head, shall be secured to the person's head by straps while the micromobility device is being operated and shall meet the standards for helmets established by the United States Consumer Product Safety Commission pursuant to 16 C.F.R. 1203. This subparagraph shall not apply to a passenger if the passenger is in an enclosed trailer or other device which adequately holds the passenger in place and protects the passenger's head from impact in a crash.

(B) Except as otherwise provided by state or federal law or regulations of the registrar, any person operating a speed tier 1, 2 or 3 micromobility device or riding as a passenger on a micromobility device shall wear protective headgear conforming with such minimum standards of construction and performance as the registrar may prescribe and no person operating such a micromobility device shall permit any other person to ride as a passenger on such micromobility

1205 device unless such passenger is wearing such protective headgear. The registrar may, by
1206 regulation, vary any such requirement by speed tier, device type, or circumstances of operation.

1207 (3) Except as otherwise required by state or federal law or regulations of the registrar, it
1208 shall be unlawful for any person who is not more than 16 years of age to purchase, rent, lease or
1209 operate any micromobility device designated as a speed tier 1, speed tier 2 or speed tier 3
1210 micromobility device; provided, however, that this restriction shall not apply to mobility aid
1211 devices.

1212 (4) Except as otherwise required by state or federal law or regulations of the registrar, it
1213 shall be unlawful for any person who is not more than 14 years of age to purchase, rent, lease or
1214 operate any powered micromobility device, motorized bicycle or moped designated as a speed
1215 tier 0, speed tier 1, speed tier 2 or speed tier 3 micromobility device; provided, however, that this
1216 restriction shall not apply to solely human-powered micromobility devices, unpowered
1217 micromobility devices or mobility aid devices.

1218 (5) It shall be unlawful to operate a micromobility device with more passengers than the
1219 device was designed to accommodate by the manufacturer, except as may be allowed by
1220 regulation.

1221 (6)(A) Except as otherwise provided by state or federal law or regulations of the registrar,
1222 speed tier 0 micromobility devices and the operator of a speed tier 0 micromobility device shall
1223 be afforded all of the rights and privileges and shall be subject to all of the duties of the operator
1224 of a bicycle or duties related to a bicycle set forth in sections 11B and 11B1/2 of chapter 85 or
1225 any other general or special law, regulation or local ordinance.

1226 (B) Except as otherwise provided by state or federal law or regulations of the registrar,
1227 speed tier 1 micromobility devices and the operator of such speed tier 1 micromobility device
1228 shall be afforded all of the rights and privileges and shall be subject to all of the duties of the
1229 operator of an electric bicycle or duties related to an electric bicycle set forth in section 11B3/4
1230 of chapter 85 or any other general or special law, regulation or local ordinance.

1231 (C) Except as otherwise provided by state or federal law or regulations of the registrar, it
1232 shall be unlawful for any speed tier 2 or speed tier 3 micromobility devices to travel on
1233 sidewalks, bike lanes, bike paths, bike routes, separated micromobility lanes or shared use paths.

1234 (f) It shall be unlawful to make any aftermarket modifications to a micromobility device,
1235 including aftermarket modifications made to the device's battery, to increase either the
1236 manufacturer-designed: (i) speed, range or propulsion power of a micromobility device; or (ii)
1237 passenger capacity of a micromobility device, except as may be allowed by regulation.

1238 (g) No micromobility device shall be sold, rented, leased or operated in the
1239 commonwealth if it does not satisfy the requirements of this section for the device's respective
1240 speed tier based on the device's maximum manufacturer assisted or designed speed, whichever is
1241 higher.

1242 (h) Micromobility devices shall be subject to any speed limits and speed restrictions for
1243 motor vehicles established by: (i) municipalities or the division of highways of the
1244 Massachusetts Department of Transportation pursuant to sections 17 and 18; (ii) regulations of
1245 the department under chapter 90E; or (iii) rules or regulations of the department of conservation.
1246 Violation of such speed limits and speed restrictions shall be subject to all civil and criminal
1247 fines applicable to the operation of a motor vehicle in violation of such speed limits and

1248 restrictions. Micromobility devices shall be subject to all civil and criminal fines and penalties
1249 applicable to the operation of a motor vehicle under sections 24 to 24R, inclusive, 24V and 25;
1250 provided, however, that administrative penalties shall not apply, unless provided by regulations
1251 of the registrar. No micromobility device shall be subject to insurance requirements relative to
1252 said sections unless so provided by regulations promulgated by the registrar.

1253 (i) The registrar, in consultation with the division of insurance, may promulgate
1254 regulations establishing registration, licensure, insurance, fines and other requirements for
1255 micromobility devices necessary to promote public and roadway safety.

1256 SECTION 104. Chapter 90E of the General Laws is hereby amended by striking out
1257 section 1, as appearing in the 2024 Official Edition, and inserting in place thereof the following
1258 section:-

1259 Section 1. For the purposes of this chapter, the following words shall have the following
1260 meanings unless the context clearly requires otherwise:

1261 “Bicycle”, a 2-wheel nonmotor-powered vehicle.

1262 “Bicycle parking facility”, any facility for the temporary storage of bicycles or
1263 micromobility devices that allows the frame and the wheels of the bicycle or micromobility
1264 device to be locked so as to minimize the risk of theft and vandalism.

1265 “Bike lane”, a lane on a street restricted to bicycles and speed tier 0 or speed tier 1
1266 micromobility devices as defined in section 64 of chapter 90 and so designated by means of
1267 painted lines, pavement coloring or other appropriate markings; provided, however, that
1268 motorized bicycles shall not be permitted to use bike lanes.

1269 “Bike path”, a route for the exclusive use of bicycles and speed tier 0 or speed tier 1
1270 micromobility devices, separated by grade or other physical barrier from motor traffic; provided,
1271 however, that motorized bicycles shall not be permitted to use bike paths.

1272 “Bike route”, a roadway shared by bicycles, micromobility devices and other forms of
1273 transportation designated by the means of signs or pavement markings.

1274 “Bikeway”, bike paths, bike lanes and bike routes.

1275 “Commissioner”, the administrator for highways.

1276 “Department”, the division of highways.

1277 “Shared use path”, a path intended for transportation or recreational use that is designed
1278 for people of all ages and abilities on foot or using motorized or non-motorized micromobility
1279 devices and is physically separated from motorized vehicle traffic within a highway right-of-way
1280 or an independent right-of-way with few crossflows with motor vehicles.

1281 SECTION 105. Section 2 of said chapter 90E, as so appearing, is hereby amended by
1282 adding the following paragraph:-

1283 The maximum speed for micromobility devices, as defined in section 1 of chapter 90, on
1284 shared use paths shall be 20 miles per hour, unless decided otherwise by the municipality in
1285 which the shared use path is located. Nothing in this paragraph shall be construed as prohibiting
1286 or limiting a municipality from setting a maximum speed for a shared use path located within its
1287 boundaries.

1288 SECTION 106. The General Laws are hereby amended by inserting after chapter 93L the
1289 following chapter:-

CHAPTER 93M.

Transparency in Frontier Artificial Intelligence Act

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

“Affiliate”, a person controlling, controlled by or under common control with a specified person, directly or indirectly, through 1 or more intermediaries.

“Artificial intelligence model”, an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

“Catastrophic risk”, a foreseeable and material risk that a frontier developer’s development, storage, use or deployment of a frontier model will materially contribute to the death of, or serious injury to, not less than 50 people or not less than \$1,000,000,000 in damage to, or loss of, property arising from a single incident involving a frontier model that: (i) provides expert-level assistance in the creation or release of a chemical, biological, radiological or nuclear weapon; (ii) engages in conduct with no meaningful human oversight, intervention or supervision that is either a cyberattack or, if the conduct had been committed by a human, would constitute the crime of murder, assault, extortion or theft, including theft by false pretense; or (iii) evades the control of its frontier developer or user; provided, however, that “catastrophic risk” shall not include a foreseeable and material risk from: (A) information that a frontier model outputs if the information is otherwise publicly accessible in a substantially similar form from a source other than a foundation model; (B) lawful activity of the federal government; or (C) harm

1311 caused by a frontier model in combination with other software if the frontier model did not
1312 materially contribute to the harm.

1313 “Critical safety incident”, any: (i) unauthorized access to, modification of, inadvertent
1314 release of or exfiltration of, the model weights of a frontier model; (ii) harm resulting from the
1315 materialization of a catastrophic risk; (iii) loss of control of a frontier model that causes death or
1316 bodily injury or that demonstrates materially increased catastrophic risk; or (iv) instance where a
1317 frontier model that uses deceptive techniques against the frontier developer to subvert the
1318 controls or monitoring of its frontier developer outside of the context of an evaluation designed
1319 to elicit this behavior and in a manner that demonstrates materially increased catastrophic risk.

1320 “Deploy”, to make a frontier model available to a third party for use, modification,
1321 copying or combination with other software; provided, however, that “deploy” shall not include
1322 making a frontier model available to a third party for the primary purpose of developing or
1323 evaluating the frontier model.

1324 “Foundation model”, an artificial intelligence model that is: (i) trained on a broad data
1325 set; (ii) designed for generality of output; and (iii) adaptable to a wide range of distinctive tasks.

1326 “Frontier AI framework”, documented technical and organizational protocols to manage,
1327 assess and mitigate catastrophic risks.

1328 “Frontier developer”, a person who has trained, or initiated the training of, a frontier
1329 model for which the person has used, or intends to use, at least as much computing power to train
1330 the frontier model as would meet the technical specifications of a frontier model.

1331 “Frontier model”, a foundation model that has been trained using a quantity of computing
1332 power greater than 10^{26} integer or floating-point operations; provided, however, that the
1333 quantity of computing power shall include computing for the original training run and for any
1334 subsequent fine-tuning, reinforcement learning or other material modifications the developer
1335 applies to a preceding foundation model.

1336 “Large frontier developer”, a frontier developer that together with its affiliates
1337 collectively has annual gross revenues greater than \$500,000,000.

1338 “Model weight”, a numerical parameter in a frontier model that is adjusted through
1339 training and that helps determine how inputs are transformed into outputs.

1340 “Property”, tangible or intangible property.

1341 Section 2. (a) A large frontier developer shall write, implement, comply with and clearly
1342 and conspicuously publish on its internet website a frontier AI framework that applies to the
1343 large frontier developer’s frontier models and describes in detail how the large frontier developer
1344 handles:

1345 (i) incorporating national standards, international standards and industry-consensus best
1346 practices into its frontier AI framework;

1347 (ii) defining and assessing thresholds used by the large frontier developer to identify and
1348 assess whether a frontier model has capabilities that could pose a catastrophic risk, which may
1349 include multiple-tiered thresholds;

1350 (iii) applying mitigations to address the potential for catastrophic risks based on the
1351 results of assessments undertaken pursuant to clause (ii);

(iv) assessing the ability of the large frontier developer’s frontier models to automate artificial intelligence research and development and any increased potential for catastrophic risks or challengers to risk monitoring, assessment or mitigation resulting from such ability;

(v) reviewing assessments and adequacy of mitigations as part of the decision to deploy a frontier model or use it extensively internally;

(vi) using third parties to assess the potential for catastrophic risks and the effectiveness of mitigations of catastrophic risks;

(vii) revisiting and updating the frontier AI framework, including any criteria that trigger updates and how the large frontier developer determines when its frontier models are substantially modified enough to require disclosures required in subsection (c);

(viii) cybersecurity practices to secure unreleased model weights from unauthorized modification or transfer by internal or external parties;

(ix) identifying and responding to critical safety incidents;

(x) instituting internal governance practices to ensure implementation of these processes;
and

(xi) assessing and managing catastrophic risk resulting from the internal use of its frontier models, including risks resulting from a frontier model circumventing oversight mechanisms.

(b) A large frontier developer shall review and, as appropriate, update its frontier AI framework not less than annually; provided, however, that if a large frontier developer makes a material modification to its frontier AI framework, the developer shall clearly and conspicuously

1372 publish the modified frontier AI framework and a justification for such modification not less than
1373 30 days after such modification.

1374 (c)(1) Before, or concurrently with, deploying a new frontier model or a substantially
1375 modified version of an existing frontier model, a frontier developer shall clearly and
1376 conspicuously publish on its website a transparency report containing: (i) the website address of
1377 the frontier developer; (ii) a mechanism that enables a natural person to communicate with the
1378 frontier developer; (iii) the release date of the frontier model; (iv) the languages supported by the
1379 frontier model; (v) the modalities of output supported by the frontier model; (vi) the intended
1380 uses of the frontier model; and (vii) any generally applicable restrictions or conditions on uses of
1381 the frontier model.

1382 (2) Before, or concurrently with, deploying a new frontier model or a substantially
1383 modified version of an existing frontier model, a large frontier developer shall include in the
1384 transparency report required by paragraph (1) summaries of: (i) assessments of catastrophic risks
1385 from the frontier model conducted pursuant to the large frontier developer's frontier AI
1386 framework; (ii) the results of such assessments; (iii) the extent to which third-party evaluators
1387 were involved; and (iv) any other steps taken to fulfill the requirements of the frontier AI
1388 framework with respect to the frontier model.

1389 (3) A frontier developer that publishes the information described in paragraph (1) or (2)
1390 as part of a larger document, including a system card or model card, shall have satisfied the
1391 requirements of the applicable paragraph.

1392 (4) A frontier developer may make disclosures described in this subsection that are
1393 consistent with, or superior to, industry best practices.

1394 (d) A large frontier developer shall transmit to the attorney general a summary of any
1395 assessment of catastrophic risk resulting from internal use of its frontier models every 3 months
1396 or pursuant to another reasonable schedule as agreed to by the attorney general and large frontier
1397 developer.

1398 (e)(1) A frontier developer shall not make a materially false or misleading statement
1399 about catastrophic risk from its frontier models or its management of catastrophic risk.

1400 (2) A large frontier developer shall not make a materially false or misleading statement
1401 about its implementation of, or compliance with, its frontier AI framework.

1402 (3) This subsection shall not apply to a statement that was made in good faith and was
1403 reasonable under the circumstances.

1404 (f)(1) Upon publishing documents to comply with this section, the frontier developer may
1405 make redactions to those documents that are necessary to protect the frontier developer's trade
1406 secrets, the frontier developer's cybersecurity, public safety, or the national security of the
1407 United States or to comply with any federal or state law.

1408 (2) If a frontier developer redacts information in a document pursuant to this subsection,
1409 the frontier developer shall describe the character and justification of the redaction in any
1410 published version of the document to the extent permitted by the concerns that justify redaction
1411 and shall retain the unredacted information for 5 years.

1412 Section 3. (a) The attorney general shall establish a mechanism to be used by a frontier
1413 developer or a member of the public to report a critical safety incident that includes: (i) the date
1414 of the critical safety incident; (ii) the reasons the incident qualifies as a critical safety incident;

1415 (iii) a short and plain statement describing the critical safety incident; and (iv) whether the
1416 incident was associated with internal use of a frontier model.

1417 (b)(1) The attorney general shall establish a mechanism to be used by a large frontier
1418 developer to confidentially submit summaries of any assessments of the potential for catastrophic
1419 risk resulting from internal use of its frontier models.

1420 (2) The attorney general shall take all reasonable precautions to limit access to any
1421 reports related to internal use of frontier models to personnel authorized to access the
1422 information, in the attorney general's discretion, and to protect the reports from unauthorized
1423 access.

1424 (c)(1) A frontier developer shall report any critical safety incident pertaining to 1 or more
1425 of its frontier models to the attorney general within 15 days of discovering the critical safety
1426 incident; provided, however, that if a frontier developer discovers that a critical safety incident
1427 poses an imminent risk of death or serious physical injury, the frontier developer shall disclose
1428 that incident within 24 hours to an authority, including any law enforcement agency or public
1429 safety agency with jurisdiction, that is appropriate based on the nature of that incident and as
1430 required by law.

1431 (2) A frontier developer that discovers information about a critical safety incident after
1432 filing the initial report required by this subdivision may file an amended report at any time.

1433 (3) A frontier developer may report critical safety incidents pertaining to foundation
1434 models that are not frontier models.

1435 (d) The attorney general shall review critical safety incident reports submitted by frontier
1436 developers and may review reports submitted by members of the public.

1437 (e)(1) The attorney general may transmit reports of critical safety incidents, summaries of
1438 any assessments of catastrophic risk from internal use of frontier models and reports from
1439 covered employees to the general court, the governor or appropriate federal or state agencies.

1440 (2) The attorney general may consider any risks related to trade secrets, public safety,
1441 cybersecurity of a frontier developer, or national security when transmitting reports.

1442 (f) A report of a critical safety incident submitted to the attorney general pursuant to this
1443 section, a report of assessments of catastrophic risk from internal use and a covered employee
1444 report shall be exempt from clause Twenty-sixth of section 7 of chapter 4 and chapter 66.

1445 (g)(1) Annually, the attorney general shall produce a report with anonymized and
1446 aggregated information about critical safety incidents that have been reviewed by the attorney
1447 general since the preceding report.

1448 (2) The attorney general shall not include information in a report pursuant to this
1449 subsection that would compromise the trade secrets or cybersecurity of a frontier developer,
1450 public safety or the national security of the United States or that would be prohibited from
1451 disclosure by any federal or state law.

1452 (3) The attorney general shall submit the report to the clerks of the senate and house of
1453 representatives and to the governor.

1454 (h) For the purposes of subsection (i), the attorney general shall promulgate regulations
1455 designating federal laws, regulations or guidance documents that:

(i) impose or state standards or requirements for critical safety incident reporting that are substantially equivalent to, or stricter than, those required by this section; provided, however, that such law, regulation or guidance shall not need to require critical safety incident reporting to the commonwealth; and (ii) is intended to assess, detect or mitigate the catastrophic risk.

(i) (1) A frontier developer that intends to comply with this section by complying with the requirements of, or meeting the standards stated by, a federal law, regulation, or guidance document designated pursuant to subsection (h) shall declare its intent to do so to the attorney general.

(2) After a frontier developer has declared its intent pursuant to paragraph (1), the frontier developer shall be deemed in compliance with this section to the extent that the frontier developer meets the standards of, or complies with the requirements imposed or stated by, the federal law, regulation, or guidance document designated pursuant to subsection (h) until the frontier developer declares the revocation of that intent to the attorney general or the attorney general revokes an applicable regulation pursuant to subdivision (j); provided, however, that failure by a frontier developer to meet the standards of, or comply with the requirements stated by, the federal law, regulation or guidance document designated pursuant to subsection (h) shall constitute a violation of this chapter.

(j) The attorney general shall revoke a regulation adopted under subdivision (h) if the requirements of said subdivision (h) are no longer met by the designated federal law, regulation or guidance document.

Section 4. (a) Annually, the attorney general shall assess recent evidence and developments relevant to the purposes of this chapter and shall make recommendations about

1478 whether and how to update any of the following definitions for the purposes of this chapter to
1479 ensure that they accurately reflect technological developments, scientific literature, and widely
1480 accepted national and international standards:

1481 (i) “Frontier model” so that it applies to foundation models at the frontier of artificial
1482 intelligence development.

1483 (ii) “Frontier developer” so that it applies to developers of frontier models who are
1484 themselves at the frontier of artificial intelligence development; and

1485 (iii) “Large frontier developer” so that it applies to well-resourced frontier developers.

1486 (b) In making recommendations pursuant to this section, the attorney general shall take
1487 into account:

1488 (i) similar thresholds used in international standards or federal law, guidance or
1489 regulations for the management of catastrophic risk;

1490 (ii) input from stakeholders, including academics, industry, the open-source community
1491 and governmental entities;

1492 (iii) the extent to which a person will be able to determine, before beginning to train or
1493 deploy a foundation model, whether that person will be subject to the definition as a frontier
1494 developer or as a large frontier developer with an aim toward allowing earlier determinations if
1495 feasible;

1496 (iv) the complexity of determining whether a person or foundation model is covered, with
1497 an aim toward allowing simpler determinations if feasible; and

1498 (v) the external verifiability of determining whether a person or foundation model is
1499 covered, with an aim toward definitions that are verifiable by parties other than the frontier
1500 developer; provided, however that the attorney general shall recommend alignment with a
1501 definition adopted in a federal law or regulation to the extent that it is consistent with the
1502 purposes of this chapter.

1503 (c) The attorney general shall submit a report with the recommendations and information
1504 compiled pursuant to subsection (a) to the clerks of the senate and house of representatives.

1505 (d) Annually, the attorney general shall produce a report with anonymized and
1506 aggregated information about reports from covered employees that have been reviewed by the
1507 attorney general since the preceding report. The attorney general shall not include information in
1508 a report pursuant to this subdivision that would compromise the trade secrets or cybersecurity of
1509 a frontier developer, confidentiality of a covered employee, public safety, or the national security
1510 of the United States or that would be prohibited by any federal or state law. The attorney general
1511 shall submit the report to the clerks of the senate and house of representatives and to the
1512 governor.

1513 Section 5. (a) A large frontier developer that fails to publish or transmit a compliant
1514 document required to be published or transmitted under this chapter, makes a statement in
1515 violation of this chapter, fails to report an incident as required by this chapter, or fails to comply
1516 with its own frontier AI framework shall be subject to a civil penalty of not more than
1517 \$1,000,000 for a first violation and not more than \$3,000,000 for subsequent violations.

1518 (b) A civil penalty described in this section may only be recovered in a civil action
1519 brought by the attorney general.

1520 Section 6. The loss of value of equity shall not constitute damage to or loss of property
1521 for the purposes of this chapter.

1522 Section 7. (a) A frontier developer shall not make, adopt, enforce, or enter into a rule,
1523 regulation, policy or contract that prevents a covered employee from disclosing or retaliates
1524 against a covered employee for disclosing, information to the attorney general, a federal
1525 authority, a person with authority over the covered employee or another covered employee who
1526 has authority to investigate, discover or correct the reported issue, if the covered employee has
1527 reasonable cause to believe that the information discloses either: (i) the frontier developer's
1528 activities pose a specific and substantial danger to the public health or safety resulting from a
1529 catastrophic risk; or (ii) the frontier developer has violated this chapter.

1530 (b) A frontier developer shall not enter into a contract that prevents a covered employee
1531 from making a disclosure protected under this chapter.

1532 (c) A frontier developer shall provide a clear notice to all covered employees of their
1533 rights and responsibilities under this section, which may include but shall not be limited to: (i)
1534 permanently posting and displaying within any workplace maintained by the frontier developer a
1535 notice to all covered employees of their rights under this section, ensuring that any new covered
1536 employee receives equivalent notice and ensuring that any covered employee who works
1537 remotely periodically receives an equivalent notice; or (ii) at least once each year, providing
1538 written notice to each covered employee of the covered employee's rights under this section and
1539 ensuring that the notice is received and acknowledged by all of those covered employees.

1540 (d)(1) A large frontier developer shall provide a reasonable internal process through
1541 which a covered employee may anonymously disclose information to the large frontier developer

1542 if the covered employee believes in good faith that the information indicates that the large
1543 frontier developer's activities present a specific and substantial danger to the public health or
1544 safety resulting from a catastrophic risk or that the large frontier developer violated this chapter,
1545 which shall include a monthly update to a person who makes a disclosure under this chapter on
1546 the status of the large frontier developer's investigation of such disclosure and the actions taken
1547 by the large frontier developer in response to such disclosure.

1548 (2) Except as provided in paragraph (B), the disclosures and responses of the process
1549 required by this subsection shall be shared with officers and directors of the large frontier
1550 developer at least once each quarter; provided, however, that if a covered employee has alleged
1551 wrongdoing by an officer or director of the large frontier developer in a disclosure or response,
1552 this paragraph shall not apply with respect to that officer or director.

1553 (e) The court may award reasonable attorney's fees to a plaintiff who brings a successful
1554 action for a violation of this section.

1555 (f) In a civil action brought pursuant to this section, once it has been demonstrated by a
1556 preponderance of the evidence that an activity proscribed by this section was a contributing
1557 factor in the alleged prohibited or adverse action against the covered employee, the frontier
1558 developer shall have the burden of proof to demonstrate by clear and convincing evidence that
1559 the alleged prohibited or adverse action would have occurred for legitimate, independent reasons
1560 even if the covered employee had not engaged in activities protected by this section.

1561 (g)(1) In a civil action or administrative proceeding brought pursuant to this section, a
1562 covered employee may petition the superior court in any county wherein the violation in question

1563 is alleged to have occurred, or wherein the person resides or transacts business, for appropriate
1564 temporary or preliminary injunctive relief.

1565 (2) Upon the filing of the petition for injunctive relief, the petitioner shall cause notice
1566 thereof to be served upon the person, and thereupon the court shall have jurisdiction to grant
1567 temporary injunctive relief as the court deems just and proper.

1568 (3) In addition to any harm resulting directly from a violation of this section, the court
1569 shall consider the chilling effect on other covered employees asserting their rights under this
1570 section in determining whether temporary injunctive relief is just and proper.

1571 (4) Appropriate injunctive relief shall be issued on a showing that reasonable cause exists
1572 to believe a violation has occurred.

1573 (5) An order authorizing temporary injunctive relief shall remain in effect until an
1574 administrative or judicial determination or citation has been issued, or until the completion of a
1575 review pursuant to this section, whichever is longer, or at a certain time set by the court.
1576 Thereafter, a preliminary or permanent injunction may be issued if it is shown to be just and
1577 proper. Any temporary injunctive relief shall not prohibit a frontier developer from disciplining
1578 or terminating a covered employee for conduct that is unrelated to the claim of the retaliation.

1579 (h) Notwithstanding Massachusetts Rules of Civil Procedure, injunctive relief granted
1580 pursuant to this section shall not be stayed pending appeal.

1581 (j)(1) This section shall not impair or limit the applicability of any other applicable law.

1582 (2) The remedies provided by this section shall be cumulative to each other and the
1583 remedies or penalties available under all other general laws.

Section 8. The attorney general may promulgate, amend or rescind regulations for the implementation, administration and enforcement of this chapter.

SECTION 107. Chapter 111 of the General Laws is hereby amended by adding the following section:-

Section 250. The commissioner of public health shall promulgate regulations for the annual health inspection of food trucks. The commissioner shall prescribe rules and regulations relative to inspection schedules, documentation of inspections, standards for acceptable cleanliness and the costs of such inspections.

SECTION 108. Section 75 of chapter 112 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by adding the following paragraph:-

Notwithstanding any general or special law to the contrary, the board, upon the recommendation of the executive director or their designee, shall waive any requirement to complete an exam exclusively verifying proficiency in English if the applicant: (i) previously passed an English proficiency examination at any time; (ii) has obtained one or more nursing degrees in the United States, if the applicant was originally trained outside of the United States; or (iii) demonstrates English proficiency through another method deemed acceptable by the board. Nothing in this paragraph shall be construed to impede the board's authority to establish or conduct examinations which test the applicant's fitness to practice or to promulgate rules, regulations or guidelines pursuant to section 79. The board may not waive requirements for an exam verifying proficiency in English for applicants seeking licensure via the nurse licensure compact under chapter 112A.

1605 SECTION 109. Section 222 of said chapter 112, as so appearing, is hereby amended
1606 by adding the following subsection:-

1607 (e) Notwithstanding clauses (iii) and (iv) of subsection (d), an applicant shall be eligible
1608 for licensure as a home inspector without meeting the requirements of said clause (iii) or said
1609 clause (iv) of said subsection (d) if the applicant: (i) is a professional engineer licensed pursuant
1610 to sections 81D to 81T, inclusive; and (ii) has performed not less than 50 home inspections under
1611 the supervision of a licensed home inspector.

1612 SECTION 110. Section 3 of chapter 121C of the General Laws, as so appearing, is
1613 hereby amended by striking out, in line 55, the word “MOBD” and inserting in place thereof the
1614 following words:- the secretary.

1615 SECTION 111. Section 4 of said chapter 121C, as so appearing, is hereby amended by
1616 striking out, in line 9, the words “, MOBD and to the director,” and inserting in place thereof the
1617 following words:- and secretary.

1618 SECTION 112. Section 5 of said chapter 121C, as so appearing, is hereby amended by
1619 striking out, in line 21, the words “MOBD and” and inserting in place thereof the following
1620 word:- the.

1621 SECTION 113. Said section 5 of said chapter 121C, as so appearing, is hereby further
1622 amended by striking out, in lines 67 and 68, the words “MOBD and the director” and inserting in
1623 place thereof the following words:- the secretary.

1624 SECTION 114. Said section 5 of said chapter 121C, as so appearing, is hereby further
1625 amended by striking out, in lines 81 and 82, the words “MOBD and director” and inserting in
1626 place thereof the following words:- the secretary.

1627 SECTION 115. Section 6 of said chapter 121C, as so appearing, is hereby amended by
1628 striking out, in line 28, the words “MOBD and director” and inserting in place thereof the
1629 following words:- the secretary.

1630 SECTION 116. Said section 6 of said chapter 121C, as so appearing, is hereby further
1631 amended by striking out, in lines 44 and 45, the words “department of housing and community
1632 development” and inserting in place thereof the following words:- secretary.

1633 SECTION 117. Section 10 of said chapter 121C, as so appearing, is hereby amended by
1634 striking out, in line 5, the words “MOBD and the director” and inserting in place thereof the
1635 following words:- the secretary.

1636 SECTION 118. Section 12 of chapter 138 of the General Laws, as so appearing, is hereby
1637 amended by striking out, in lines 119 to 121, inclusive, the words “and irrespective of any
1638 limitation of number of licenses contained in section seventeen”.

1639 SECTION 119. Said section 12 of said chapter 138, as so appearing, is hereby further
1640 amended by adding the following 4 paragraphs:-

1641 A new license issued pursuant to this section in response to an application filed on or
1642 after January 1, 2027, pursuant to the municipal plan as required by section 17, shall be non-
1643 transferable and no licensing authority shall approve the transfer of such license.

1644 If a license issued pursuant to this section is cancelled, revoked or no longer in use by the
1645 license holder, the license shall be returned physically, with all of the legal rights, privileges and
1646 restrictions pertaining thereto, to the licensing authority.

1647 If a license holder closes or terminates the license holder's business or sells or transfers
1648 the license holder's business, the license holder shall return the license physically, with all of the
1649 legal rights, privileges and restrictions pertaining thereto, to the licensing authority.

1650 SECTION 120. The first paragraph of section 14 of said chapter 138, as so appearing, is
1651 hereby amended by striking out the first sentence and inserting in place thereof the following
1652 sentence:- Special licenses for the sale of all alcoholic beverages or wine and malt beverages
1653 only may be issued, as determined by the municipality, by the local licensing authorities to the
1654 responsible manager of any indoor or outdoor activity or enterprise or to the responsible manager
1655 of any nonprofit organization conducting any indoor or outdoor activity or enterprise.

1656 SECTION 121. Section 16A of said chapter 138, as so appearing, is hereby amended by
1657 striking out, in line 12, the word "so" and inserting in place thereof the following words:- as
1658 determined by a municipality to be.

1659 SECTION 122. Said section 16A of said chapter 138, as so appearing, is hereby further
1660 amended by striking out, in lines 15 and 16, the words " , to the extent that the same are issuable
1661 under section seventeen".

1662 SECTION 123. Said section 16A of said chapter 138, as so appearing, is hereby further
1663 amended by striking out, in line 19, the words "for the purposes of section seventeen".

SECTION 124. Section 17 of said chapter 138, as so appearing, is hereby amended by striking out the first 8 paragraphs and inserting in place thereof the following 3 paragraphs:-

A city or town shall determine the number of all alcoholic beverage or wines and malt beverage licenses to be issued by its local licensing authority under sections 12, 14 and 15F, including the number of seasonal licenses; provided, however, that for licenses issued under section 15, cities and towns may grant 1 such license for each population unit of 5,000 or any additional fraction thereof but may, regardless of population, grant at least 2 licenses under said section 15; provided further, that nothing in this section shall limit the city of Boston from granting at least 250 licenses for the sale of all alcoholic beverages under said section 15.

A city or town shall adopt and may amend a plan that is approved by the mayor and city council or select board, which shall determine the process for granting additional licenses; provided, however, that prior to adopting or amending the plan: (i) at least 1 public hearing regarding the plan shall be conducted by the city council, select board or legislative body of the city or town; and (ii) the city or town shall notify the alcoholic beverages control commission of the public hearing.

The mayor and city council or select board of a city or town shall hold a public hearing regarding a license application within 30 days of the date the application is filed.

SECTION 125. Sections 17A to 17C, inclusive, of said chapter 138 are hereby repealed.

SECTION 126. Section 29 of said chapter 138, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 22 to 24, inclusive, the words “; but a license issued to a registered pharmacist under said section shall be included in computing the number of licenses that may be granted in any city or town as provided in section seventeen”.

SECTION 127. Section 185A of chapter 140 of the General Laws, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following 2 subsections:-

(a) For the purposes of this section and sections 185B to 185G, inclusive, the following term shall have the following meaning unless the context clearly requires otherwise:-

“Live event”, a musical performance, sporting event, theatrical production, comedy show or other entertainment event performed in person to an in-person audience in an arena, concert venue or other fixed location including, but not limited to, an event licensed under sections 181 and 182 or chapter 128A; provided, however, that “live event” shall not include: (i) a musical performance, sporting event, theatrical production, comedy show or other entertainment event performed in an arena, concert venue or other fixed location with a capacity of not more than 1,000 attendees; (ii) the broadcast or transmission of such an entertainment event attended exclusively via television, internet or other remote means; or (iii) in-person attendance at an entertainment event that consists of entertainment, whether live or recorded, that is observed by an audience solely via broadcast or transmission or by the playing of a recording, including, but not limited to, a showing of a film in a movie theater.

(a1/2) No person shall engage in the business of selling tickets or the business of reselling or facilitating a mechanism for 2 or more parties to participate in the resale of any ticket of admission to a live event, whether such business is conducted on or off the premises on which such ticket is to be used, without being licensed by the commissioner of occupational licensure.

1706 SECTION 128. Said section 185A of said chapter 140, as so appearing, is hereby further
1707 amended by striking out, in line 12, the words “until the first day of January next after its date”
1708 and inserting in place thereof the following words:- for 2 years following its date of issuance.

1709 SECTION 129. Said subsection (b) of said section 185A of said chapter 140, as so
1710 appearing, is hereby further amended by striking out the fourth sentence and inserting in place
1711 thereof the following sentence:- The sale of a ticket, entitling the holder of said ticket to
1712 admission to any such live event upon payment either of nothing or a sum less than that
1713 demanded of the public generally shall be deemed to be a resale pursuant to subsection (a¹/₂).

1714 SECTION 130. Section 185B of said chapter 140, as so appearing, is hereby amended by
1715 striking out subsection (a) and inserting in place thereof the following subsection:-

1716 (a) The fee for each license granted under section 185A and for each renewal thereof
1717 shall be determined by the secretary of administration and finance under section 3B of chapter 7
1718 for the filing thereof.

1719 SECTION 131. Section 185D of said chapter 140, as so appearing, is hereby amended by
1720 striking out, in lines 3 and 4, the words “theatrical exhibition, public show or public amusement
1721 or exhibition” and inserting in place thereof the following words:- live event.

1722 SECTION 132. Said section 185D of said chapter 140, as so appearing, is hereby further
1723 amended by striking out, in lines 10 to 12, inclusive, the words “theatrical exhibition, public
1724 show or public amusement or exhibition of any description” and inserting in place thereof the
1725 following words:- live event.

1726 SECTION 133. Said chapter 140 is hereby further amended by striking out section 185G,
1727 as so appearing, and inserting in place thereof the following section:-

1728 Section 185G. (a) Section 182A shall not apply to tickets or other evidences of entry to
1729 theatrical exhibitions, public shows or public amusements or exhibitions, all the proceeds of the
1730 sale or resale of which inure exclusively to the benefit of religious, educational or charitable
1731 institutions, societies or organizations or civic leagues or organizations not organized for profit
1732 but operated exclusively for the promotion of social welfare or to associations of veterans of any
1733 wars of the United States, or to tickets or other evidences of entry to agricultural fairs, none of
1734 the profits of the sale or resale of which are distributed to stockholders or members of the
1735 association conducting the same.

1736 (b) Sections 185A to 185F, inclusive, shall not apply to tickets to live events, all the
1737 proceeds of the sale or resale of which inure exclusively to the benefit of religious, educational
1738 or charitable institutions, societies or organizations or civic leagues or organizations not
1739 organized for profit but operated exclusively for the promotion of social welfare or to
1740 associations of veterans of any wars of the United States, or to tickets to agricultural fairs, none
1741 of the profits of the sale or resale of which are distributed to stockholders or members of the
1742 association conducting the same.

1743 SECTION 134. Section 100 of chapter 143 of the General Laws, as so appearing, is
1744 hereby amended by striking out, in lines 9 and 10, the words “other than the specialized stretch
1745 energy code” and inserting in place thereof the following words:- other than the current and
1746 future specialized stretch energy codes.

1747 SECTION 135. Section 12 of chapter 156C of the General Laws, as so appearing, is
1748 hereby amended by striking out subsection (d) and inserting in place thereof the following 3
1749 subsections:-

1750 (d) The fee for the filing of the certificate of organization required by subsection (a) shall
1751 be \$100. The fee for the filing of the annual report required by subsection (c) shall be \$200 for
1752 the first annual report; \$300 for the second annual report; \$400 for the third annual report; and
1753 \$500 for the fourth annual report and for each annual report filed thereafter. Such fees shall be
1754 paid to the state secretary at the time the certificate of organization or the annual report is filed.

1755 (e) Notwithstanding the fees set forth in subsection (d), if a limited liability company (i)
1756 is established for the purpose of holding title to real property; (ii) owns assets in excess of
1757 \$1,000,000; or (iii) is expected to own assets in excess of \$1,000,000 within the subsequent 12
1758 month period, then the fee for the filing of the certificate of organization required by subsection
1759 (a) shall be \$500; and the fee for the filing of each annual report required by subsection (c) shall
1760 be \$500 beginning with the annual report that includes an affirmative attestation of any of the
1761 conditions set forth in clauses (i) to (iii). Such fees shall be paid to the state secretary at the time
1762 the certificate of organization or the annual report is filed.

1763 (f) The person filing the certificate of organization or annual report shall attest at the time
1764 of filing as to whether the limited liability company: (i) is established for the sole purpose of
1765 holding title to real property; (ii) owns assets in excess of \$1,000,000; or (iii) is expected to own
1766 assets in excess of \$1,000,000 within the subsequent 12-month period. A person who makes an
1767 inaccurate attestation shall be subject to a civil penalty of \$10,000 for each such inaccurate
1768 attestation. Such certification shall be the basis for determining eligibility under subsection (e).

1769 SECTION 136. Section 134 of chapter 164 of the General Laws, as so appearing, is
1770 hereby amended by striking out, in lines 103 and 104, the words “Massachusetts Renewable
1771 Energy Trust Fund, established pursuant to section 9” and inserting in place thereof the
1772 following words:- Climatetech Investment Fund established in section 15.

1773 SECTION 137. Said Chapter 164 is hereby further amended by adding the following
1774 section:-

1775 Section 152. (a) As used in this section, the followings words shall have the following
1776 meanings unless the context requires otherwise:

1777 “Economic development rates”, standardized utility tariffs and discounted rates offered
1778 by a distribution company designed to attract new businesses to the commonwealth and promote
1779 expansion by businesses already located in the commonwealth.

1780 “Special contracts”, discounted utility rates negotiated between distribution companies
1781 and large new businesses locating to Massachusetts or large new businesses expanding in the
1782 commonwealth.

1783 (b) Each distribution company shall offer an economic development rate and special
1784 contracts. Each distribution company shall develop guidelines for large new businesses locating
1785 to the commonwealth or large new businesses expanding in the commonwealth to seek a special
1786 contract. Such rates, contracts and guidelines shall be as consistent as practicable between the
1787 distribution companies.

1788 (c) Economic development rates and special contracts shall not shift costs to or increase
1789 costs for other commonwealth utility customers.

1790 (d) Economic development rates may include associated requirements, including but not
1791 limited to, job creation or retention, capital investment commitments, participation in energy
1792 efficiency or demand response programs and periodic progress reporting on requirements.

1793 (e) Distribution companies may request modifications to any approved economic
1794 development rate and guidelines to seek a special contract with the department of public utilities
1795 as necessary to accommodate changed circumstances.

1796 (f) Each distribution company shall present the proposed rate and guidelines to the
1797 executive office of economic development and the executive office of energy and environmental
1798 affairs at least one month prior to filing a new or amended economic development rate or
1799 guidelines to seek a special contract with the department of public utilities.

1800 SECTION 138. Section 2 of chapter 498 of the acts of 1993 is hereby amended by
1801 striking out the definition of “Bank” or “Government land bank” and inserting in place thereof
1802 the following definition:-

1803 “Bank” or “Government land bank”, the Massachusetts Development Finance Agency
1804 established in section 23G of the General Laws as successor to the Government Land Bank
1805 pursuant to section 23 of chapter 289 of the acts of 1998.

1806 SECTION 139. Item 7002-1509 of section 2 of chapter 140 of the acts of 2024 is hereby
1807 amended by adding the following words:- or other similar visa programs.

1808 SECTION 140. Item 7002-1522 of section 2 of chapter 238 of the acts of 2024 is hereby
1809 amended by striking out the words “technologies developed with the assistance of” and inserting
1810 in place thereof the following words:- technologies, with preference for companies receiving.

1811 SECTION 141. Item 7002-1523 of said section 2 of said chapter 238 is hereby amended
1812 by striking out the words “proteins developed with the assistance of” and inserting in place
1813 thereof the following words:- proteins, with preference for companies receiving.

1814 SECTION 142. Section 320 of said chapter 238 is hereby repealed.

1815 SECTION 143. Sections 324 of said chapter 238 is hereby repealed.

1816 SECTION 144. Notwithstanding any general or special law to the contrary, the members
1817 serving on the advisory board on employee ownership appointed by the governor pursuant to
1818 subsection (a) of section 204 of chapter 6 of the General Law on the effective date of this act
1819 shall continue to serve for the remainder of their unexpired terms. Upon the
1820 expiration of the terms of such members, the governor shall appoint 2 members to serve for a
1821 term of 1 year, 3 members to serve for a term of 2 years, 3 members to serve for a term of 3
1822 years and 3 members to serve for a term of 4 years. Upon the expiration of such terms, the
1823 governor shall appoint successor members to serve a term of 4 years.

1824 SECTION 145. Notwithstanding any general or special law to the contrary, any
1825 unexpended funds held in the Massachusetts Alternative and Clean Energy Investment Trust
1826 Fund established in section 35FF of chapter 10 of the General Laws and the Renewable Energy
1827 Trust Fund established in section 9 of chapter 23J of the General Laws on the effective date of
1828 this act shall be transferred to the Climatetech Investment Fund established in section 15 of said
1829 chapter 23J.

1830 SECTION 146. (a) Notwithstanding any general or special law to the contrary, if the
1831 economic assistance coordinating council awards less than the full amount of tax credits
1832 authorized by subsection (c) of section 3D of chapter 23A of the General Laws or if the

1833 Massachusetts Life Science Center awards less than the full amount of tax credits authorized by
1834 subsection (d) of section 5 of chapter 23I of the General Laws or if the Massachusetts Clean
1835 Energy Center awards less than the full amount of tax credits authorized by subsection (d) of
1836 section 16 of said chapter 23J, then in each case, the balance of any unallocated tax credits and
1837 the funds budgeted to finance that balance may be carried forward to the next calendar year with
1838 the approval of the secretary of administration and finance, in consultation with the secretary of
1839 economic development.

1840 (b) Notwithstanding any general or special law to the contrary, the secretary of
1841 administration and finance, in consultation with the secretary of economic development, may
1842 reallocate some or all of the tax credits that are carried forward pursuant to subsection (a) among
1843 the tax credit programs established pursuant to section 3A of chapter 23A of the General Laws,
1844 section 5 of chapter 23I of the General Laws or section 16 of chapter 23J of the General Laws.
1845 Any credits carried forward or reallocated shall increase, for the calendar year in which the carry
1846 forward or reallocation occurs, the annual cap or limitation otherwise applicable to the receiving
1847 program by the amount of such credits carried forward or reallocated.

1848 (c) Annually, not later than March 1, the secretary of administration and finance, in
1849 consultation with the secretary of economic development, shall submit a report to the house and
1850 senate committees on ways and means setting forth the amount of tax credits, if any, carried
1851 forward and reallocated pursuant to subsections (a) and (b) in the prior calendar year. The report
1852 shall state the adjusted cap applicable to each tax credit program for the upcoming calendar year.

1853 SECTION 147. (a) As used in this section, the followings words shall have the following
1854 meanings unless the context clearly requires otherwise:

1855 “Economic development rates”, standardized utility tariffs and discounted rates offered
1856 by a distribution company designed to attract new businesses to the commonwealth and promote
1857 expansion by businesses already located in the commonwealth.

1858 “Special contracts”, discounted utility rates negotiated between distribution companies
1859 and large new businesses locating to the commonwealth or large new businesses expanding in
1860 the commonwealth.

1861 (b) The department of public utilities shall initiate an investigation into electric
1862 distribution tariffs, rates, and interconnection requirements that support economic development
1863 by attracting new businesses to the commonwealth and promoting the expansion of existing
1864 businesses. The investigation shall be initiated more than 90 days after the effective date of this
1865 act.

1866 (c) The department may consider rate design elements, tariff structures and
1867 customer eligibility frameworks, including but not limited to: (i) the establishment of separate
1868 customer classes or categories based on load characteristics; (ii) appropriate rate structures,
1869 including demand based or capacity based charges; (iii) potential economic development rates
1870 for qualifying new businesses; (iv) minimum demand requirements or other mechanisms to
1871 provide revenue certainty; (v) minimum terms of service, including provisions addressing load
1872 ramp up periods; (vi) exit fees, termination provisions or other forms of financial assurance; (vii)
1873 cost allocation methodologies; (viii) requirements for the use of special contracts; and (ix)
1874 mechanisms to ensure that proposed rates do not increase or shift costs to other ratepayers.

1875 (d) The department shall ensure any rate structures developed pursuant to this section
1876 support economic development, maintain just and reasonable rates and avoid shifting costs to
1877 other customers.

1878 (e) The department shall consult with the executive office of economic development to
1879 align regulatory frameworks with statewide economic development objectives. The executive
1880 office of economic development shall establish all necessary requirements and qualification
1881 criteria to ensure economic benefits for the commonwealth prior to the establishment of any
1882 economic development rates.

1883 SECTION 148. Notwithstanding any general or special law to the contrary, the
1884 unexpended and unencumbered balances of the bond-funded authorizations in the following
1885 accounts shall cease to be available for expenditure 180 days after the effective date of this act:

1886 7002-8013

1887 7002-8016

1888 7002-8017

1889 7002-8022

1890 7002-8035

1891 7002-8037

1892 7002-8038

1893 7002-8041

1894 7002-8049

1895 SECTION 149. Notwithstanding any general or special law to the contrary, to meet the
1896 expenditures necessary in carrying out section 3A, the state treasurer shall, upon receipt of a
1897 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
1898 by the governor from time to time but not exceeding, in the aggregate, \$325,100,000. All bonds
1899 issued by the commonwealth, as aforesaid, shall be designated on their face “An Act Relative to
1900 Massachusetts Winning Global Investment, Talent, and Innovation” and shall be issued for a
1901 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
1902 court pursuant to section 3 of Article LXII of the Amendments to the Constitution All such
1903 bonds shall be payable not later than June 30, 2061. All interest and payments on account of
1904 principal on such obligations shall be payable from the General Fund. Bonds and interest thereon
1905 issued under the authority of this section shall, notwithstanding any other provision of this act, be
1906 general obligations of the commonwealth.

1907 SECTION 150. Notwithstanding any general or special law to the contrary, the annual
1908 report required by subsection (g) of section 17 of chapter 23J of the General Laws shall be due
1909 not later than 1 year after the effective date of this act.

1910 SECTION 151. Notwithstanding section 64 of chapter 90 of the General Laws or any
1911 other special or general law to the contrary, an electric bicycle purchased or acquired before the
1912 effective date of said section 64 of said chapter 90 may continue to be operated in the
1913 commonwealth without meeting the battery or electrical system safety standards required by
1914 subsections (b) and (c) of said section 64 of said chapter 90.

1915 SECTION 152. (a) There shall be a working group on micromobility which shall consist
1916 of: the registrar of motor vehicles or a designee, who shall serve as chair; the administrator of
1917 highways in the Massachusetts Department of Transportation or a designee; the secretary of
1918 public safety and security or a designee; the commissioner of insurance or a designee; the
1919 commissioner of conservation and recreation or a designee; the commissioner of public health or
1920 a designee; 1 representative of the Massachusetts Municipal Association who shall appointed by
1921 the secretary of the of transportation; 2 persons to be appointed by the secretary of transportation,
1922 of whom 1 shall be a representative of the micromobility device industry and 1 shall be a
1923 representative of a citizen advocacy group 1 person who shall be a representative of the
1924 insurance industry who shall be appointed by the commissioner of insurance; and 2 persons to be
1925 appointed by the secretary of public safety and security, of whom 1 shall be a representative of
1926 the Fire Chiefs Association of Massachusetts and 1 hall be a representative of the Massachusetts
1927 Chiefs of Police Association.

1928 (b) The working group shall develop recommendations for a regulatory scheme and
1929 legislation, if necessary, for the operation of micromobility devices as provided in the January
1930 2026 special commission on micromobility report. The working group shall make
1931 recommendations for requirements for micromobility registration or an identification decal,
1932 licensure to operate, clarification of the roles of dealers and manufacturers, education, speed
1933 restrictions, signage, travel allowances, insurance requirements, fines and penalties and
1934 additional operation and safety standards and requirements for micromobility devices.

1935 (c) The working group shall develop a standardized form to report crashes and incidents
1936 involving a motor vehicle, a vulnerable user as defined in section 1 of chapter 90 of the General
1937 Laws or any micromobility device as defined in said section 1 of said chapter 90. The

standardized form shall be used by any municipal, county or state law enforcement official or emergency medical services provider who responds to a crash or incident involving a motor vehicle, a vulnerable user or a micromobility device. The corresponding report for each crash or incident shall be transmitted to the registrar of motor vehicles. The registrar of motor vehicles shall maintain a publicly accessible database of the standardized form reports; provided, however, that no personally identifying information shall be published in the database.

(d) Not later than December 31, 2027, the working group shall complete its work and issue a report of its findings, recommendations and any proposed legislation necessary to carry those recommendation into effect by filing the same with the clerks of the senate and house of representatives and the joint committee on transportation and publishing the same on its website.

SECTION 153. (a) There shall be a special commission to review and assess emerging issues in the state regulation of frontier artificial intelligence models. The review shall include, but not be limited to, investigating the feasibility and impact of requiring large frontier developers, as defined in section 1 of chapter 93M of the General Laws, to engage third-party auditors to assess frontier artificial intelligence models, as defined in said section 1 of said chapter 93M, to verify the developer's compliance with the requirements of a frontier AI framework, as defined in said section1, and assess whether the developer's risk mitigation efforts adequately address catastrophic risks, as defined in said section 1; the level of research spending, revenue or computing power to require higher level state scrutiny; and any other issues identified by the commission.

(b) The commission shall consist of: the attorney general or designee, who shall serve as chair; 1 member appointed by the senate president, 1 member appointed by the speaker of the

1960 house of representatives, and 6 members appointed by the governor, at least 1 of whom shall
1961 have experience in compliance auditing, at least 1 of whom shall have experience in the
1962 development of artificial intelligence models, and at least 1 of whom shall have experience in
1963 artificial intelligence safety. The commission shall study and make recommendations on: (i) the
1964 nature and magnitude of risks posed by frontier artificial intelligence models deployed in the
1965 commonwealth including, but not limited to, catastrophic risk and critical safety incidents; (ii)
1966 the availability of identifiable and measurable metrics to determine levels of risk; (iii) existing
1967 standards for technical, operational and other mitigation requirements for persons or entities that
1968 develop or deploy artificial intelligence models; (iv) current methodologies and sources used to
1969 evaluate the efficacy of such mitigation requirements; (v) practices and strategies employed in
1970 other states to assess artificial intelligence models' or applications' adherence to industry
1971 standards; and (vi) the fiscal impact of developing and implementing a framework for
1972 assessment of artificial intelligence models and applications through third party auditors.

1973 (c) Not later than March 1, 2027, the commission shall submit a report of its findings and
1974 recommendations, including drafts of legislation necessary to carry those recommendations into
1975 effect, by filing the same to the clerks of the senate and house of representatives and the joint
1976 committee on advanced information technology, the internet and cybersecurity.

1977 SECTION 154. Not less than 270 days after the effective date of this act, each electric
1978 company shall share with the board established in section 17 of chapter 23J the processes they
1979 plan to implement to address gridtech deployment barriers internal to the electric company. Such
1980 processes shall include procedures for addressing barriers identified by the board pursuant to
1981 subsection (g) of section 17 of chapter 23J. Such processes shall be as similar between the
1982 investor-owned electric companies as practicable.

1983 SECTION 155. Not less than 270 days after the effective date of this act, the board
1984 established in section 17 of chapter 23J shall develop and vote to file with the department of
1985 public utilities a process for the department to review, on an expedited basis, requests for limited
1986 waivers of prior department orders that will alleviate gridtech deployment barriers. Such process
1987 shall be limited to reviewing waivers of prior department orders that are time-bound and finite in
1988 scope.

1989 SECTION 156. Sections 40, 41, and 48 shall take effect for all municipalities upon the
1990 effective date of this act; provided, however, that in municipalities that adopted a zoning
1991 ordinance or by-law requiring some form of site plan review prior to the effective date of this act,
1992 the provisions of this section shall not be effective with respect to such zoning ordinance or by-
1993 law until the date that is one year after the effective date of this act.

1994 SECTION 157. No plan by a city or town to change the number of licenses available
1995 under chapter 138 of the General Laws shall take effect prior to January 1, 2027. The number of
1996 licenses authorized under said chapter 138 for each city and town prior to January 1, 2027, shall
1997 remain unchanged unless changed by the mayor and city council or select board pursuant to a
1998 plan adopted under section 17 of said chapter 138.

1999 SECTION 158. Not later than 1 year after the effective date of this act, the commissioner
2000 of public health shall promulgate regulations as required by section 250 of chapter 111 of the
2001 General Laws.

2002 SECTION 159. Not later than January 1, 2028 the attorney general shall complete the
2003 first report required by subsection (a) of section 4 of chapter 93M of the General Laws.

2004 SECTION 160. Not later than January 1, 2029 the attorney general shall complete the
2005 first report required by subsection (g) of section 3 and subsection (d) of section 4 of chapter 93M
2006 of the General Laws.

2007 SECTION 161. Subsection (ii) of section 6 of chapter 62 of the General Laws, as inserted
2008 by section 194 of said chapter 238 of the acts of 2024, shall take effect for taxable years
2009 beginning on or after January 1, 2027.

2010 SECTION 162. Section 38UU of chapter 63 of the General Laws shall take effect for
2011 taxable years beginning on or after January 1, 2027.

2012 SECTION 163. Section 316 of chapter 238 of the acts of 2024 shall take effect on
2013 January 1, 2033.

2014 SECTION 164. Sections 44, 46, 47, 48, 50, 51, 61, 70, 72 and 135 shall take effect on
2015 July 1, 2027.

2016 SECTION 165. Sections 85 to 100, inclusive, and sections 102 to 106, inclusive, shall
2017 take effect on January 1, 2028.