

# SENATE . . . . . No. 2724

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## The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court  
(2023-2024)

SENATE, April 11, 2024.

The committee on Emergency Preparedness and Management, to whom was referred the petitions (accompanied by bill, Senate, No. 2506) of Joanne M. Comerford, Natalie M. Blais, Rebecca L. Rausch, John J. Cronin and other members of the General Court for legislation to create a state disaster relief fund for emergency management, report the accompanying bill (Senate, No. 2724).

For the committee,  
Marc R. Pacheco

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act creating a state disaster relief fund for emergency management..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting after  
2 section 2AAAAAA the following section:

3           Section 2BBBBBB. There is hereby established and set up on the books of the  
4 commonwealth a separate fund to be known as the Disaster Relief Trust Fund. There shall be  
5 credited to the fund: (i) money appropriated or transferred to the fund, including money  
6 transferred pursuant to section 5G of chapter 29; (ii) funds from public or private sources  
7 specifically designated for the purposes of this section, including, but not limited to, gifts, grants,  
8 donations, rebates and settlements received by the commonwealth; and (iii) any income derived  
9 from investment of amounts credited to the fund.

10           Amounts credited to the fund shall not be subject to further appropriation and money  
11 remaining in the fund at the end of a fiscal year shall not revert to the General Fund. The fund  
12 shall retain all interest earned on sums deposited in the fund. The fund shall not have a deficit.

13           The fund shall be administered by the Massachusetts emergency management agency,  
14 which shall expend money from the fund to provide emergency disaster relief and alleviate the  
15 damage, loss, hardship, or suffering caused by a natural or human-caused disaster or other  
16 catastrophic event, including when a federal or state disaster declaration has not been made, or to  
17 supplement funding related to a federal or state disaster declaration.

18           The Massachusetts emergency management agency shall create 1 or more programs to  
19 implement this section and shall develop program administration regulations and guidance which  
20 shall include, but not be limited to, an application procedure and eligibility criteria for the  
21 distribution of monies from the fund. Program regulations and guidance shall take into account  
22 existing federal and commonwealth disaster relief and recovery programs and requirements and  
23 shall prioritize utilization of available federal disaster relief and recovery programs.

24           Payments may be made to municipalities, regional governments, or eligible private non-  
25 profit organizations of the commonwealth as the director determines appropriate. Eligible private  
26 non-profits shall include educational facilities, emergency, medical, or custodial care facilities,  
27 or providers of other essential governmental services. Payments may be distributed as  
28 reimbursements or grants.

29           An annual report, which shall include expenditures made, their amounts, recipients and  
30 the reason for the expenditure, as well as income received by the fund, shall be submitted to the  
31 clerks of the house of representatives and the senate and to the house and senate committees on  
32 ways and means not later than December 31 of each year.

33           SECTION 2. The second sentence of section 5G of chapter 29 of the General Laws is  
34 hereby amended by inserting after the words “established in section 2H” the following words:- ;

35 provided, that before transferring funds pursuant to this clause, the comptroller shall, at the start  
36 of each fiscal year, transfer sufficient funds under this paragraph so that the balance in the  
37 Disaster Relief Trust Fund established in section 2BBBBBB of chapter 29 is no less than \$50  
38 million as of that date.

39 SECTION 3: Not more than 180 days after the effective date of this act, the  
40 Massachusetts emergency management agency shall submit to the house and senate chairs of the  
41 joint committee on ways and means and the joint committee on emergency preparedness and  
42 management, a comprehensive report outlining the program or programs to be developed under  
43 this act and how the program or programs will be implemented, including:

44 (1) an overview of the process for each program to be developed, including, but not  
45 limited to,

46 (i) the thresholds and eligibility criteria for qualifying events and applicants for relief;

47 (ii) the process for making exceptions; and

48 (iii) the application submission and approval process;

49 (2) statutory or regulatory changes necessary to allow timely expenditures of funds in  
50 cases of emergency, and

51 (3) the agency's needs to effectively implement the program or programs, including  
52 budgets and employees.