

SENATE No. 2842

Senate, July 27, 2020 – Text of the proposed Senate amendment (Senator Rodrigues) to the House Bill enabling partnerships for growth (House, No. 4887)

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

1 SECTION 1. To provide for a program of economic development and job creation, the
2 sums set forth in sections 2 and 2A, for the several purposes and subject to the conditions
3 specified in this act, are hereby made available, subject to the laws regulating the disbursement
4 of public funds; provided, however, that the amounts specified in an item or for a particular
5 project may be adjusted in order to facilitate projects authorized in this act. These sums shall be
6 in addition to any amounts previously authorized and made available for these purposes.

7 SECTION 2.

8 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

9 Office of the Secretary

10 7002-8000 For the program administered by the Massachusetts Development Finance
11 Agency for site assembly, site assessment, predevelopment permitting and other predevelopment
12 and marketing activities that enhance a site’s readiness for commercial, industrial or mixed-use
13 development; provided, that a portion of the funds shall be used to facilitate the expansion or
14 replication of successful industrial parks.....\$15,000,000

15 7002-8001 For the Massachusetts Growth Capital Corporation established in section 2
 16 of chapter 40W of the General Laws for a program to provide matching grants to community
 17 development financial institutions certified by the United States Treasury or community
 18 development corporations certified under chapter 40H of the General Laws to enable the
 19 community development financial institution or community development corporation to leverage
 20 federal or private investments for the purpose of making loans to small businesses, including, but
 21 not limited to, businesses owned by women, veterans, minorities and immigrants; provided
 22 further, that the program shall prioritize socially or economically disadvantaged businesses,
 23 which may include, but shall not be limited to, minority-owned and immigrant-owned small
 24 businesses, that have historically faced obstacles accessing capital and have been
 25 disproportionately impacted by the 2019 novel coronavirus pandemic.....\$35,000,000

26 7002-8002 To provide funds to the Massachusetts Broadband Incentive Fund
 27 established in section 6C of chapter 40J of the General Laws for capital repairs and
 28 improvements to broadband infrastructure owned by the Massachusetts Technology Park
 29 Corporation established by section 3 of chapter 40J.....\$5,000,000

30 7002-8003 For the Massachusetts Technology Park Corporation established by
 31 section 3 of chapter 40J for matching grants that support collaboration among manufacturers
 32 located in the commonwealth and institutions of higher education, non-profits and other public or
 33 quasi-public entities; provided, that eligible grantees shall include, but not be limited to,
 34 participants in the Manufacturing USA institutes established under the National Network for
 35 Manufacturing Innovation; and provided further, that grants shall be awarded and administered
 36 consistent with the strategic goals and priorities of the advanced manufacturing collaborative
 37 established by section 10B of chapter 23A.....\$10,000,000

38 7002-8004 For projects receiving assistance from the Technology Research and
39 Development and Innovation Fund established by section 4G of chapter 40J of the General
40 Laws.....\$50,000,000

41 7002-8027 For a competitive program of grants or other financial assistance to
42 support economic development, job creation and housing and climate resilience initiatives,
43 including nature-based solutions projects that incorporate these elements for the public purpose
44 of promoting economic opportunity and prosperity in small towns or rural areas of the
45 commonwealth; provided, that such financial assistance may be offered to a municipality or
46 other public entity, a community development corporation, non-profit entity or for-profit entity;
47 provided further, that such financial assistance shall support a project located in a municipality
48 with a population of not more than 7,000 year-round residents or a population density of not
49 more than 500 persons per square mile; provided further, that financial assistance offered
50 pursuant to this line item may be administered by the executive office through a contract with the
51 Massachusetts Development Finance Agency established by section 2 of chapter 23G; and
52 provided further, that the administering agency may establish additional program requirements
53 through regulations or policy guidelines.....\$10,000,000

54 7002-8028 For the Massachusetts Growth Capital Corporation established in section 2
55 of chapter 40W of the General Laws to provide grants to low-income and moderate-income
56 entrepreneurs to acquire, expand, improve or lease a facility, to purchase or lease equipment or to
57 meet other capital needs of a business with not more than 20 employees and annual revenues not
58 exceeding \$2,500,000; provided, that preference shall be given to businesses located in low-
59 income or moderate-income areas or socially and economically disadvantaged businesses, which
60 shall include, but shall not limited to, minority-owned, women-owned, immigrant-owned and

61 veteran-owned businesses; and provided further, that prioritization in awarding grants shall be
62 given to businesses that have been disproportionately impacted by the 2019 novel coronavirus
63 pandemic.....\$20,000,000

64 7002-8029 For a competitive grant program administered by the office of travel and
65 tourism to provide tourism and cultural marketing funds to businesses and regional tourism
66 councils for the purpose of promoting and advertising in-state tourism in order to create jobs,
67 support tourism-related businesses in the commonwealth and stimulate the state and local
68 economies of the commonwealth; provided, that not less than \$4,000,000 shall be allocated to
69 regional tourism councils in order to provide regional advertising, public relations and other
70 marketing initiatives that will promote in-state tourism and encourage the upholding of necessary
71 public health and social distancing protocols relative to the 2019 novel coronavirus
72 pandemic.....\$10,000,000

73 7002-8031 For a program to provide assistance to projects that will improve,
74 rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the
75 public purposes of eliminating blight, increasing housing production, supporting economic
76 development projects, increasing the number of commercial buildings accessible to persons with
77 disabilities and conserving natural resources through the targeted rehabilitation and reuse of
78 vacant and underutilized property; provided, that such assistance shall take the form of a grant or
79 a loan provided to a municipality or other public entity, a community development corporation,
80 non-profit entity or for-profit entity; provided further, that eligible uses of funding shall include,
81 but not be limited to, improvements and additions to or alterations of structures and other
82 facilities necessary to comply with requirements of building codes, fire or other life safety codes
83 and regulations pertaining to accessibility for persons with disabilities, where such code or

84 regulatory compliance is required in connection with a new commercial residential or civic use
85 of such structure or facility, and the targeted removal of existing underutilized structures or
86 facilities to create or activate publicly-accessible recreational or civic spaces; provided further,
87 that funding shall be awarded on a competitive basis in accordance with guidelines developed by
88 the agency; provided further, that financial assistance offered pursuant to this line item may be
89 administered by the executive office through a contract with the Massachusetts Development
90 Finance Agency established by section 2 of chapter 23G; provided further, that the executive
91 office or the Massachusetts Development Finance Agency may establish additional program
92 requirements through regulations or policy guidelines; provided further, that financial assistance
93 offered pursuant to this item shall be awarded, to the extent feasible, in a manner that reflects
94 geographic and demographic diversity within the commonwealth; and provided further, that
95 program funds may be used for the reasonable costs of administering the program not to exceed
96 5 per cent of the total assistance made during the fiscal year\$40,000,000

97 7002-8033 For an employment social enterprise capital grant program to be
98 administered by the executive office of housing and economic development, in consultation with
99 the executive office of labor and workforce development, for the development of eligible
100 facilities for non-profit employment social enterprises that sell goods and services and enhance
101 economic development; provided, that eligible applicants shall be non-profit organizations
102 operating employment social enterprises targeting individuals facing significant barriers to
103 employment; provided further, that grants to non-profits shall support costs associated with the
104 acquisition of real property, the design, construction, repair, rehabilitation or renovation of an
105 eligible facility and soft costs directly related to the development of an eligible facility; provided
106 further, that eligible employment social enterprises shall offer paid employment opportunities to

107 low-income individuals, with priority to socially and economically disadvantaged populations
108 who experience complex needs and barriers to employment that require intensive interventions;
109 provided further, that eligible organizations shall provide the following services for targeted
110 individuals as an integrated part of their paid employment in a social enterprise: (i) outreach to
111 targeted populations; (ii) on-the-job training and skill development, including worksite
112 supervision and performance coaching; (iii) comprehensive supportive services for at least 1
113 year, including, but not limited to, case management, aimed at helping to overcome barriers to
114 employment; (iv) assistance to obtain external employment; and (v) job retention services; and
115 provided further, that prioritization for grant awards shall be given to organizations: (a) targeting
116 low-income communities specifically aimed at reducing social and economic inequities,
117 including, but not limited to, inequities affecting individuals who have faced racial or ethnic
118 prejudice; (b) serving high-risk populations that can demonstrate a significant social return on
119 investment; and (c) providing goods and services that can demonstrate a positive community or
120 environmental impact.....\$25,000,000

121 7002-8034 For a program to provide financial and capital assistance to restaurants
122 impacted by the 2019 novel coronavirus; provided, that said program shall be administered by
123 the executive office of housing and economic development; provided further, that grants may be
124 used for, but shall not be limited to, capital projects or equipment purchases necessary to uphold
125 necessary public health and social distancing protocols for customers and staff related to the
126 2019 novel coronavirus pandemic; provided further, that grants may be used for, but shall not be
127 limited to, employee payroll and benefit costs, mortgage interest, rent, utilities and interest on
128 other debt obligations; and provided further, that the executive office shall prioritize

129 independently owned and operated restaurants and geographic equity when establishing the
130 program criteria\$20,000,000

131 7002-8036 For local economic development projects.....\$100,000

132 SECTION 2A.

133 TREASURER AND RECEIVER GENERAL

134 Massachusetts Cultural Council

135 0640-0305 For a non-profit infrastructure and equipment grant program administered
136 by the Massachusetts cultural council; provided, that grants shall be awarded on a competitive
137 basis to non-profit arts, cultural and tourism institutions and organizations that temporarily
138 suspended in-person public attendance due to the 2019 novel coronavirus pandemic; provided
139 further, that grants shall be awarded to assist institutions with infrastructure costs necessary to
140 safely and sustainably reopen to the public while upholding necessary public health and social
141 distancing protocols relative to the 2019 novel coronavirus pandemic; provided further, that the
142 following criteria shall be used in prioritizing grant awards: (i) capital improvements and
143 equipment purchases deemed critical to safeguard institution staff, volunteers and exhibitions;
144 (ii) capital improvement and equipment purchases deemed critical to safely allow public
145 attendance; (iii) relative financial need of the applying institution; (iv) geographic diversity of
146 grant recipients; (v) diversity of type of organizations or institutions receiving funding; and (vi)
147 the likelihood that one-time infrastructure and equipment assistance will enable the institution to
148 reopen safely and sustainably; and provided further, that the Massachusetts cultural council shall
149 report to the chairs of the house and senate committees on ways and means and the chairs of the

150 joint committee on tourism, arts and cultural development on the process and criteria for grant
151 selection not less than 30 days before awarding grants.....\$20,000,000

152 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

153 Department of Housing and Community Development

154 7004-0059 For state financial assistance in the form of grants or loans to accelerate
155 and support the creation of low-income and moderate-income housing in close proximity to
156 transit nodes; provided, that the program shall be administered to: (i) maximize the amount of
157 affordable residential and mixed-use space in close proximity to transit nodes, resulting in higher
158 density, compact development and pedestrian-friendly, inclusive and connected neighborhoods;
159 (ii) increase mass transit ridership; (iii) decrease traffic congestion and reduce greenhouse gas
160 emissions; and (iv) increase economic opportunity for disadvantaged populations by making it
161 easier for residents of affordable housing to access public transportation, including transportation
162 supporting commutes to employment centers; provided further, that entities eligible to receive
163 financial assistance shall include governmental bodies, community development corporations,
164 local housing authorities, community action agencies, community-based or neighborhood-based
165 non-profit housing organizations, other non-profit organizations and for-profit entities; provided
166 further, that financial assistance provided pursuant to this section shall be made on a competitive
167 basis, with preference for projects in communities disproportionately impacted by the 2019 novel
168 coronavirus health and economic crisis; provided further, that funds may be used to assist units
169 occupied by and affordable to persons with incomes not more than 110 per cent of the area
170 median income as defined by the United States Department of Housing and Urban Development
171 with priority given to projects that provide higher and deeper levels of affordability; provided

172 further, that not less than 25 per cent of the occupants of housing in projects assisted by this item
173 shall be persons whose income is not more than 60 per cent of the area median income as defined
174 by the United States Department of Housing and Urban Development; provided further, that
175 financial assistance offered pursuant to this item may be administered by the department of
176 housing and community development through a contract with the Massachusetts Housing
177 Partnership Fund, established in section 35 of chapter 405 of the acts of 1985, which in turn may
178 directly offer financial assistance for the purposes set forth herein or may enter into subcontracts
179 with non-profit organizations established pursuant to chapter 180 of the General Laws for the
180 purposes herein; provided further, that the department may provide financial support to non-
181 profit and for-profit developers that enter into binding agreements to set aside residential units in
182 market-rate, transit-oriented housing, over and above any units required to be set aside under
183 local zoning or approvals, for rent or sale to income-qualified households at affordable rents or
184 sale prices, as applicable; and provided further, that the department may establish additional
185 program requirements through regulations or policy guidelines\$25,000,000

186 7004-0064 For financial assistance to accelerate and support the creation and
187 preservation of sustainable and climate resilient affordable multifamily housing; provided, that
188 such financial assistance shall be made to: (i) incorporate efficient, sustainable and climate-
189 resilient design practices in affordable residential development to support positive climate
190 mitigation outcomes; (ii) reduce greenhouse gas emissions and reliance on fossil fuels; (iii)
191 increase resiliency of existing housing developments to mitigate impacts of climate change,
192 including flooding and extreme temperatures; and (iv) enhance emergency preparedness,
193 including sustainable means of power generation to allow for sheltering vulnerable populations
194 in place; provided further, that financial assistance shall be made available on a competitive basis

195 to community development corporations, local housing authorities, community action agencies,
196 community-based or neighborhood-based non-profit housing organizations, other non-profit
197 organizations and for-profit entities; provided further, that funds may be used to assist units
198 occupied by and affordable to persons with incomes not more than 110 per cent of the area
199 median income as defined by the United States Department of Housing and Urban Development
200 with priority given to projects that provide higher and deeper levels of affordability; provided
201 further, that not less than 25 per cent of the occupants of housing in projects assisted by this item
202 shall be persons whose income is not more than 60 per cent of the area median income as defined
203 by the United States Department of Housing and Urban Development; provided further, that
204 financial assistance provided pursuant to this section may be administered by the department of
205 housing and community development through contracts with the Massachusetts Housing
206 Partnership Fund, established in section 35 of chapter 405 of the acts of 1985, the Massachusetts
207 Housing Finance Agency, established in chapter 708 of the acts of 1966, or both, which
208 authorities may directly offer financial assistance for the purposes set forth herein or may enter
209 into subcontracts with non-profit organizations established pursuant to chapter 180 of the
210 General Laws for those purposes; and provided further, that the administering agency may
211 establish additional program requirements through regulations or policy guidelines...\$10,000,000

212 7004-0065 For state financial assistance to cities and towns or agencies, boards,
213 commissions, authorities, departments or instrumentalities thereof or community development
214 corporations or non-profit organizations to assist in the revitalization of neighborhoods and
215 communities with properties in blighted or substandard conditions by subsidizing the purchase
216 price, borrowing costs or costs of demolition or renovation of up to 50 units of residential rental
217 housing or 1 to 4 units of home ownership residential housing that have been cited for building

218 or sanitary code violations or that are subject to cancellation of commercial property insurance
219 due to substandard property conditions or are otherwise blighted or substandard; provided, that
220 contracts entered into by the department of housing and community development for those
221 projects may include, but shall not be limited to, projects providing for demolition, renovation,
222 remodeling, reconstruction, redevelopment and hazardous material abatement, including asbestos
223 and lead paint, and for compliance with state codes and laws and for adaptations necessary for
224 compliance with the federal Americans with Disabilities Act of 1990; provided further, that
225 preference shall be given to community development corporations and local non-profit
226 organizations, organizations sponsoring projects that secure private funds and projects with the
227 greatest impact on community stabilization in weak markets, including, but not limited to, rural
228 communities and communities that have been disproportionately affected by the 2019 novel
229 coronavirus pandemic, disinvestment, foreclosure and abandonment; provided further, that such
230 rehabilitated housing shall remain affordable for such period as shall be established by the
231 department through guidance taking into account differences in market conditions and the type
232 of restrictions best suited to promoting community stabilization in different markets; and
233 provided further, that an amount not to exceed 2 per cent of the amount expended may pay for
234 administrative costs directly attributable to the purposes of this program, including costs of
235 support personnel.....\$50,000,000

236 EXECUTIVE OFFICE OF EDUCATION

237 Department of Elementary and Secondary Education

238 7035-2020 For capital grants to vocational technical schools to expand operating

239 capacities; provided, that grants shall be administered by the department of elementary and

240 secondary education on a competitive basis to vocational technical schools; provided further, that
241 grants may be used for building expansions and renovations, as well as equipment purchases;
242 provided further, that prioritization for grant awards shall be given to, but not limited to,
243 vocational technical schools: (i) with significant waiting lists; (ii) offering programs focused on
244 industries and careers disproportionately impacted by the 2019 novel coronavirus pandemic; and
245 (iii) serving students from gateway municipalities as defined in section 3A of chapter 23A of the
246 General Laws or municipalities with high proportions of low-income and non-English or limited-
247 English speaking populations; provided further, that the department shall award grants in a
248 manner that promotes geographic equity; and provided further, that the department shall submit
249 to the chairs of the house and senate committees on ways and means a report detailing the
250 criteria used to award grants not less than 30 days before awarding said grants.....\$15,000,000

251 Department of Higher Education

252 7066-2020 For a grant program administered by the department of higher education to
253 support career-oriented programs and initiatives at the 15 community colleges to support
254 training, academic credit certificates and associate degree programs in high-demand fields,
255 including, but not limited to, healthcare and allied health, information technology and
256 cybersecurity, or first-responder programs such as fire science, emergency medical technician
257 and criminal justice; provided, that grant preference shall be given to support and expand
258 programs and initiatives targeting high-demand fields disproportionately impacted by the 2019
259 novel coronavirus pandemic; and provided further, that funding may be used for resources to
260 recruit, retain and graduate students, including, but not limited to, technology tools such as
261 software, licenses, laptops, curriculum development or student services.....\$15,000,000

262 SECTION 3. Chapter 6 of the General Laws is hereby amended by adding the following
263 section:-

264 Section 220. (a) As used in this section, the following words shall have the following
265 meanings unless the context clearly requires otherwise:

266 “Affirmative marketing program”, a program of race and gender conscious goals to
267 promote equality in, and to encourage the participation of, minority-owned businesses and
268 woman-owned businesses in contracts for capital facility projects and the disposition of real
269 property.

270 “Capital facility project”, an undertaking by a state authority for the planning,
271 acquisition, design, construction, demolition, installation, repair or maintenance of a capital
272 facility.

273 “Design services”, any of the following services provided by any designer, programmer
274 or construction manager in connection with any public building project:

275 (i) preparation of master plans, studies, surveys, soil tests, cost estimates or programs;

276 (ii) preparation of drawings, plans, or specifications, including, but not limited to,
277 schematic drawings, preliminary plans and specifications, working plans and specifications or
278 other administration of construction contracts documents;

279 (iii) supervision or administration of a construction contract; or

280 (iv) construction management or scheduling.

281 “Disposition of real property”, any disposition of real property by a state authority;
282 provided, however, that, for the purposes of this section, a disposition shall include, but not be
283 limited to: (i) a lease of real property for the purpose of real estate development; and (ii) the
284 assignment of air rights.

285 “Minority”, a person with a permanent residence in the United States who is American
286 Indian, Black, African American, Cape Verdean, Western Hemisphere Hispanic, Aleut, Eskimo
287 or Asian.

288 “Minority-owned business”, any real estate, contracting or subcontracting business, or
289 business that supplies the contractors and subcontractors, that is beneficially owned by at least 1
290 minority person, that meets the following criteria:

291 (i) the business shall be at least 51 per cent owned by minority persons; provided,
292 however, that in the case of a corporation having more than 1 class of stockholders, the
293 ownership requirement shall be met as to each class of stock;

294 (ii) the minority owner or minority owners shall demonstrate that they have dominant
295 control over management;

296 (iii) the business shall not have been established solely for the purpose of taking
297 advantage of a special program that has been developed to assist minority-owned businesses;

298 (iv) in the case of a joint venture between a minority-owned business meeting the
299 requirements of clauses (i) to (iii), inclusive, and a non-minority-owned business, the joint
300 venture shall be found to be a “minority-owned business” if the minority-owned business has

301 more than one-half control over management of the project bid upon and has the right to receive
302 more than one-half of the profits deriving from that project.

303 “State authority”, a state authority as defined in section 1 of chapter 29.

304 “Woman-owned business”, any real estate, contracting or subcontracting business which
305 is beneficially owned by 1 or more women that meets the following criteria:

306 (i) the business shall be at least 51 per cent owned by women; provided, however, that in
307 the case of a corporation having more than 1 class of stockholders, the ownership requirement
308 shall be met as to each class of stock;

309 (ii) the woman owner or women owners shall demonstrate that they have dominant
310 control over management;

311 (iii) the business shall not have been established solely for the purpose of taking
312 advantage of a special program that has been developed to assist woman-owned businesses;

313 (iv) in the case of a joint venture between a woman-owned business meeting the
314 requirements of clauses (i) to (iii), inclusive, and a non-woman-owned business, the joint venture
315 shall be found to be a “woman-owned business” if the woman-owned business has more than
316 one-half control over management of the project bid upon and has the right to receive more than
317 one-half of the profits deriving from that project.

318 (b) Each state authority shall establish an affirmative marketing program to ensure the
319 fair participation of minority-owned and woman-owned businesses for capital facility projects
320 and the disposition of real property. The affirmative marketing program shall establish
321 participation goals for minority-owned and woman-owned business in the capital facility projects

322 and the disposition of real property that are equal to or exceed the combined participation goals
323 for minority-owned and woman-owned businesses as established by the division of capital asset
324 management and maintenance pursuant to section 6 of chapter 7C. The participation goals for
325 minority-owned business and woman-owned business shall include, but not be limited to: (i)
326 construction; (ii) design services; (iii) development; (iv) financing; (v) operation; and (vi)
327 ownership. The affirmative marketing plan shall be included, at a minimum, in every request for
328 proposal for capital facility projects and the disposition of real property.

329 (c) All affirmative marketing program requirements shall apply to any lessee of land of a
330 state authority. The construction of an improvement by a lessee, including, but not limited to, a
331 building or other structure, shall be accompanied by an affirmative marketing plan.

332 SECTION 4. Section 6 of chapter 7C of the General Laws, as appearing in the 2018
333 Official Edition, is hereby amended by striking out the definition of “State assisted building
334 project” and inserting in place thereof the following definition:-

335 “State assisted building project”, a construction project undertaken by a political
336 subdivision of the commonwealth or 2 or more subdivisions thereof for the planning, acquisition,
337 design, construction, demolition, installation, repair or maintenance of a capital facility and
338 whose costs are paid for, reimbursed, grant funded or otherwise supported, in whole or in part,
339 by the commonwealth; or any disposition of real property of a state agency; provided, however,
340 that, for the purposes of this section, a disposition shall include, but shall not be limited to: (i) a
341 lease of real property for the purpose of real estate development and (ii) the assignment of air
342 rights.

343 SECTION 5. Said section 6 of said chapter 7C, as so appearing, is hereby further
344 amended by striking out the word “may”, in line 84, and inserting in place thereof the following
345 word:- shall.

346 SECTION 6. Said section 6 of said chapter 7C, as so appearing, is hereby further
347 amended by adding the following subsection:-

348 (l) The affirmative marketing program requirements established under this section shall
349 apply to any lessee of land of a state agency. The construction of an improvement by the lessee,
350 including, but not limited to, a building or other structure, shall be accompanied by an
351 affirmative marketing plan.

352 SECTION 7. Chapter 12 of the General Laws is hereby amended by adding the following
353 section:-

354 Section 35. (a) There shall be a student loan ombudsman within the office of the attorney
355 general. The student loan ombudsman shall receive, review and assist in resolving complaints
356 from student loan borrowers including, but not limited to, those concerning attempts to resolve
357 complaints in collaboration with institutions of higher education, student loan servicers, the
358 division of banks and any other participants in student loan lending.

359 (b) The responsibilities of the ombudsman may include, but shall not be limited to,
360 helping student loan borrowers: (i) explore repayment options; (ii) apply for federal income-
361 driven repayment plans; (iii) avoid or remove a default; (iv) end wage garnishments, tax refund
362 interceptions or benefit offsets; (v) resolve billing disputes with student loan servicers; (vi)
363 obtain student loan details and information; (vii) stop harassing collection calls; and (viii) apply
364 for discharges.

365 The ombudsman shall prepare, make available or direct those seeking assistance to
366 student loan borrower education presentations and materials regarding student loans. The
367 presentations and materials shall include, but not be limited to, an explanation of: (i) key student
368 loan terms; (ii) documentation requirements; (iii) monthly payment obligations; (iv) income-
369 based repayment options; (v) student loan forgiveness; and (vi) disclosure requirements. The
370 ombudsman shall make best efforts to inform public employees about the federal Public Service
371 Loan Forgiveness Program and direct them to available information about the program.

372 (c) Annually, not later than January 1, the ombudsman shall file a report on activities
373 related to student loans and student loan servicers, as defined in section 1 of chapter 93L, with
374 the clerks of the senate and house of representatives, the senate and house committees on ways
375 and means and the joint committee on financial services.

376 The report shall include, but not be limited to: (i) the number of complaints received by
377 the ombudsman from student loan borrowers and the names of the student loan servicers against
378 whom such complaints are filed; (ii) the types of complaints received by the ombudsman from
379 student loan borrowers; (iii) the types of resolutions reached for complaints received; and (iv)
380 recommendations to improve the effectiveness of the position of student loan ombudsman.

381 The report shall also include an overview of any information received from the division
382 of banks including, but not limited to: (i) the number of complaints received by the division of
383 banks concerning student loans; (ii) the types of complaints received by the division of banks
384 concerning student loans; (iii) the types of resolutions reached by the division of banks; and (iv)
385 recommendations to improve the regulation, oversight and enforcement efforts of the division of

386 banks with respect to student loan servicers. Information and data in the report shall be in an
387 aggregate and de-identified format.

388 (d) The ombudsman shall receive information from the division of banks to assist the
389 ombudsman in fulfilling its duties under this section.

390 SECTION 8. Section 1 of chapter 23G of the General Laws, as appearing in the 2018
391 Official Edition, is hereby amended by striking out the definition of “Equity investments” and
392 inserting in place thereof the following definition:-

393 “Equity investments”, (i) investments that result in the agency holding an ownership
394 interest in any company; (ii) a membership interest that constitutes voting rights in a company;
395 (iii) an interest in real estate or other assets; (iv) a grant or loan designated pursuant to a
396 competitive process administered by the agency, provided to governmental subdivisions,
397 community development corporations, community action agencies, for-profit entities, private
398 property owners, nonprofit entrepreneur support organizations or business operators for design,
399 construction or improvement of buildings or real estate to spur economic development; (v) a
400 transaction that in substance falls into any of these categories even though it may be structured as
401 some other form of business transaction, including, but not limited to, a lease of real estate for
402 such duration as the agency deems appropriate in light of the amount of the equity to be invested;
403 and (vi) an equity security; provided, however, that “equity investments” shall not include any of
404 the foregoing if the interest is taken as security for a loan.

405 SECTION 9. Section 45 of said chapter 23G, as so appearing, is hereby amended by
406 striking out the seventh paragraph.

407 SECTION 10. Section 46 of said chapter 23G, as so appearing, is hereby amended by
408 striking out, in line 47, the word “by” and inserting in place thereof the following words:- , or to
409 address regional opportunities or challenges identified by a gateway municipality, by.

410 SECTION 11. Section 3 of chapter 23L of the General Laws, as so appearing, is hereby
411 amended by inserting after the word “to”, in line 6, the following words:- the agency and.

412 SECTION 12. Section 4 of said chapter 23L, as so appearing, is hereby amended by
413 inserting after the word “cost”, in line 3, the following words:- , or the debt service of notes or
414 bonds used to fund such cost.

415 SECTION 13. Said section 4 of said chapter 23L is hereby further amended by inserting
416 after the word “aggregate”, in lines 51 and 52, the following word:- amount.

417 SECTION 14. Said section 4 of said chapter 23L is hereby further amended by striking
418 out, in line 73, the words “As an alternative to levying” and inserting in place thereof the
419 following words:- In furtherance of the ability to levy.

420 SECTION 15. Subsection (c) of said section 4 of said chapter 23L, as so appearing, is
421 hereby amended by adding the following 2 sentences:- Infrastructure assessments levied under
422 this chapter shall continue notwithstanding any alienation or conveyance of the property in the
423 development zone by a property owner to a new property owner. A new property owner in the
424 development zone shall take title to such property subject to the infrastructure assessments and
425 related liens.

426 SECTION 16. Chapter 26 of the General Laws is hereby amended by inserting after
427 section 3 the following section:-

428 Section 3A. (a) The division of banks shall maintain a consumer assistance unit. The unit
429 may provide assistance in response to complaints involving any person or entity that the division
430 has authority to regulate or in other areas as the commissioner deems appropriate, which may
431 include, but shall not be limited to, complaints and requests for assistance involving state-
432 chartered banks and credit unions, check cashers, foreign transmittal companies, sales finance
433 companies, mortgage lenders, brokers, originators and student loan servicers.

434 (b) The unit shall share information with the student loan ombudsman to assist the
435 student loan ombudsman in fulfilling the student loan ombudsman's duties under section 35 of
436 chapter 12.

437 SECTION 17. Chapter 29 of the General Laws is hereby amended by inserting after
438 section 2HHHHH the following section:-

439 Section 2IIIII. There shall be a Student Loan Assistance Trust Fund administered by the
440 office of the attorney general.

441 Expenditures may be made from the fund to: (i) fund the work of the student loan
442 ombudsman established under section 35 of chapter 12; (ii) provide direct counseling and
443 assistance to student loan borrowers; (iii) receive, review and assist in the resolution of
444 complaints from student loan borrowers; and (iv) pursue legal action on behalf of student loan
445 borrowers including, but not limited to, the investigation of complaints, the costs of personnel
446 and litigation, the engagement of experts and the enforcement of settlements.

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

450 The fund may receive revenue from: (i) appropriations or other money authorized by the
451 general court designated to the fund; and (ii) funds from public or private sources specifically
452 designated for the purposes of this section, including, but not limited to, gifts, grants, donations,
453 rebates and settlements received by the commonwealth.

454 The office of the attorney general shall provide an annual report to the house and senate
455 committees on ways and means on the fund's activity. The report shall include, but not be
456 limited to: (i) the total amount of money in the fund, designated by source; (ii) the amount of
457 money received by the fund, designated by source; (iii) if settlement funds were received, the
458 percentage of the total settlement amount deposited into the fund; (iv) an accounting of all
459 expenditures from the fund; (v) a description of the activities and staff supported by the fund;
460 and (vi) revenue and expenditure projections for the current fiscal year and for the next fiscal
461 year.

462 SECTION 18. Section 2 of chapter 40G of the General Laws, as appearing in the 2018
463 Official Edition, is hereby amended by striking out, in lines 23 to 26, inclusive, the words "1
464 person appointed by the governor who is a cabinet secretary or officer of the commonwealth
465 having experience appropriate to the functions of MTDC" and inserting in place thereof the
466 following words:- the executive director of the Massachusetts Technology Park Corporation
467 established in section 3 of chapter 40J.

468 SECTION 19. Chapter 40J of the General Laws is hereby amended by striking out
469 section 4G, as so appearing, and inserting in place thereof the following section:-

470 Section 4G. (a) In order to undertake projects and programs to promote job creation and
471 retention and economic development, competitiveness and growth in the commonwealth through

472 the support of technology and innovation ecosystems, there shall be a Technology Research and
473 Development and Innovation Fund administered by the corporation. There shall be credited to
474 the fund proceeds of bonds or notes of the commonwealth issued for this purpose and revenue
475 from appropriations or other monies authorized by the general court and specifically designated
476 for the fund. Any appropriations remaining in the fund at the end of a fiscal year shall not revert
477 to the General Fund. Appropriations from the general court into the fund may be expended by
478 the corporation to establish programs that support technology and innovation ecosystems,
479 consistent with the terms of the appropriation. A portion of the fund proceeds may be used by the
480 corporation to support costs of administering the fund. The corporation shall hold the fund in an
481 account or accounts separate from other funds of the corporation.

482 (b) The fund shall be administered to foster scientific and technology research and
483 development by providing matching funds for capital expenditures to be made in connection
484 with projects that are: (i) sponsored by the University of Massachusetts, research universities,
485 non-profit entities, independent research institutions or technology companies in the
486 commonwealth for scientific or technology research and development that will increase and
487 strengthen the commonwealth's economic development, employment opportunities and
488 commercial and industrial sectors; and (ii) funded in part by the federal government or other
489 public or private funds; provided, however, that any grant awarded in accordance with this
490 subsection shall leverage at least \$1, in the aggregate, during activities funded by such grant,
491 from sources other than an agency as defined in section 39 of chapter 6 for each dollar granted;
492 provided further, that funds expended specifically for this matching grant program from the
493 higher education bond bill, established by chapter 258 of the acts of 2008, shall not count
494 towards the \$1 of financing that is required for the matching grant program; provided further,

495 that as a condition of such grants being awarded, the corporation shall reach agreement with the
496 grant recipient on performance measures and indicators that will be used to evaluate the
497 performance of the grant recipient in carrying out the activities described in the recipient's
498 application; provided further, that prior to awarding any grant under this subsection, the
499 corporation shall determine that the grant will advance the purposes of this subsection; provided
500 further, that priority shall be given to large-scale, long-term research and development activities
501 that have the greatest potential to support scientific and technological innovation and stimulate
502 economic and employment opportunities in the commonwealth through industry partnerships;
503 and provided further, that not less than 50 per cent of the grant funds under this subsection shall
504 be reserved for award, over the term of each authorization or appropriation, subject to
505 qualification, to the University of Massachusetts. The University of Massachusetts may, if it
506 deems necessary to help ensure efficient and effective research and development efforts, enter
507 into collaborative agreements with other higher education institutions in the commonwealth to
508 undertake parts of any research and development project for which grant funding under this
509 subsection is sought. Funds may be used by the corporation to support costs associated with
510 managing this program.

511 (c) The fund shall also be administered to support technology and innovation ecosystems
512 through grants or loans to eligible participants to pay or reimburse eligible capital costs of
513 facilities that foster innovation, demonstration, research and product development in emerging
514 technologies and systems, with preference given to sectors identified by the corporation as
515 having strategic importance to the commonwealth including, but not limited to, artificial
516 intelligence, robotics, quantum computing, advanced manufacturing, cyber security, financial
517 technology, blockchain and marine technologies; provided, however, that technology and

518 innovation ecosystems shall be developed in regions and communities that are historically
519 underserved by technology investment. Eligible participants shall include universities,
520 community colleges and public entities and may include for-profit business entities if the
521 corporation finds that the use of funds by the private entity is primarily for a public purpose and
522 will result in a significant and measurable public benefit. Eligible costs shall include the: (i) costs
523 of acquiring and improving real property; (ii) costs of acquiring and installing fixtures,
524 equipment and other personal property; (iii) costs of planning and designing: and (iv) any
525 combination the costs described in clauses (i) to (iii), inclusive. Any such improvements,
526 property or equipment shall be owned by 1 or more public entities but may be leased or licensed
527 for use by private institutions; provided, however, that such assets may be privately owned where
528 the corporation makes a finding that such private ownership is necessary to achieve the public
529 purpose of the grant or loan. The corporation shall establish guidelines, requirements and
530 standards for participation in the program.

531 (d) Annually, not later than October 1, the corporation shall file a report with the joint
532 committee on higher education and the house and senate committees on ways and means
533 detailing the grants awarded under this section.

534 SECTION 20. Paragraph (2) of subsection (a) of section 2 of chapter 62 of the General
535 Laws, as so appearing, is hereby amended by adding the following subparagraph:-

536 (R) An amount which, but for this section, would be included in the gross income, in
537 whole or in part, of an eligible recipient, as described in subsection (a) of section 1102 of the
538 Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136, because of the forgiveness
539 described in subsection (b) of section 1106 of said act.

540 SECTION 21. Section 24A of chapter 93 of the General Laws, as so appearing, is hereby
541 amended by adding the following subsection:-

542 (e) A student loan servicer licensed under chapter 93L who is engaged solely in the
543 activities of a student loan servicer shall not be required to: (i) obtain a debt collector license
544 pursuant to subsection (a); or (ii) register as a third party loan servicer pursuant to subsection (b);
545 provided, however, that if a student loan servicer acts, represents, operates or holds itself out as a
546 third party loan servicer or debt collector outside of the scope of said chapter 93L, the student
547 loan servicer shall register as a third party loan servicer or obtain a debt collector license, or
548 both, as appropriate. A licensed student loan servicer who engages in third party loan servicing
549 activities or debt collection activities within the scope of said chapter 93L shall comply with all
550 state and federal laws and regulations governing third party loan servicers and debt collection
551 when acting in such capacity.

552 SECTION 22. The General Laws are hereby amended by inserting after chapter 93K the
553 following 2 chapters:-

554 CHAPTER 93L.

555 STUDENT LOAN SERVICERS.

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

558 “Commissioner”, the commissioner of banks.

559 “Person”, a natural person, corporation or other entity.

560 “Servicing”, (i) receiving or soliciting a scheduled periodic payment from a borrower
561 pursuant to the terms of a student loan and making the principal, interest and other payments to
562 the owner of the loan or other third party with respect to the amounts received from the borrower
563 as may be required pursuant to the terms of the servicing loan document or servicing contract;
564 (ii) maintaining account records for a loan and communicating with the borrower regarding the
565 loan on behalf of the owner of the loan during a period in which no payment is required on the
566 loan; or (iii) interacting with a borrower, including activities to help prevent default on
567 obligations arising from a loan, to facilitate the activities described in clause (i) or clause (ii).

568 “Student loan”, a loan primarily used to finance post-secondary education or other
569 school-related expenses.

570 “Student loan borrower”, a resident of the commonwealth who has received or agreed to
571 repay a student loan or a person who shares responsibility with that resident for repaying the
572 student loan.

573 “Student loan servicer”, a person responsible for servicing a student loan to a student loan
574 borrower.

575 Section 2. (a) A person shall not directly or indirectly act as a student loan servicer
576 without first obtaining a student loan servicer license pursuant to subsection (e) or an automatic
577 federal student loan servicer license pursuant to subsection (f), as applicable, unless the person is
578 exempt from licensure pursuant to subsection (b); provided, however, that a person with an
579 automatic federal student loan servicer license shall not directly or indirectly act as a student loan
580 servicer, other than pursuant to a contract with the United States Secretary of Education under 20
581 U.S.C. 1087f, without first obtaining a student loan servicer license under subsection (e).

582 (b) The following persons shall be exempt from student loan servicer licensing
583 requirements under this section: (i) banks and credit unions, including federal credit unions and
584 out-of-state banks and credit unions; (ii) wholly-owned subsidiaries of banks and credit unions;
585 and (iii) nonprofit or public institutions of higher education.

586 (c) A person seeking to act as a student loan servicer, other than pursuant to a contract
587 with the United States Secretary of Education under 20 U.S.C. 1087f, shall submit an application
588 for a student loan servicer license in such form as the commissioner shall prescribe. The
589 application may require that an applicant provide: (i) a financial statement prepared by a certified
590 public accountant or a public accountant; (ii) a history of criminal convictions of the applicant;
591 or (iii) any other information the commissioner considers necessary.

592 (d) An application for a student loan servicer license shall be accompanied by: (i) a
593 nonrefundable license fee; (ii) a nonrefundable investigation fee; and (iii) a surety bond that
594 provides for coverage for the applicant in an amount determined by the commissioner and in a
595 form prescribed by the commissioner. The secretary of administration and finance shall annually
596 determine the amounts of the license and investigation fees required under clauses (i) and (ii)
597 pursuant to section 3B of chapter 7. The amount and form of the surety bond required under
598 clause (iii) shall be determined by the commissioner.

599 (e) After the filing of an application for an initial student loan servicer license and the
600 payment of the license and investigation fees, the commissioner shall investigate the financial
601 condition, responsibility, financial and business experience, character and general fitness of the
602 applicant.

603 The commissioner may issue a student loan servicer license if the commissioner finds
604 that: (i) the applicant's financial condition is sound; (ii) the applicant's business has been
605 conducted and will be conducted honestly, fairly, equitably, carefully, efficiently and in a
606 manner consistent with this chapter; (iii) (A) if the applicant is an individual, the individual is
607 properly qualified and of good character; (B) if the applicant is a partnership, each partner is
608 properly qualified and of good character; (C) if the applicant is a corporation or association, the
609 president, chair of the executive committee, senior officer responsible for the corporation's
610 business and chief financial officer or any other person who performs similar functions as
611 determined by the commissioner, each director, each trustee and each shareholder owning at
612 least 10 per cent of each class of the securities of the corporation are properly qualified and of
613 good character; or (D) if the applicant is a limited liability company, each member is properly
614 qualified and of good character; (iv) no person on behalf of the applicant has knowingly made
615 any incorrect statement of a material fact in the application or in any report or statement made
616 pursuant to this chapter; (v) no person acting on behalf of the applicant has knowingly failed to
617 state any material fact necessary to give the commissioner any information required by the
618 commissioner; (vi) the applicant has paid the license and investigation fees and provided the
619 required surety bond under subsection (d); and (vii) the applicant has met all other requirements
620 as determined by the commissioner.

621 (f) The commissioner shall issue an automatic federal student loan servicer license to a
622 person that acts or intends to act as a student loan servicer pursuant to a contract with the United
623 States Secretary of Education under 20 U.S.C. 1087f. The automatic federal student loan servicer
624 license shall be irrevocable and shall not expire except as otherwise provided in this section.

625 Upon receipt of the automatic federal student loan servicer license, the student loan
626 servicer shall pay the license and investigation fees and provide the required bond under
627 subsection (d).

628 A person issued an automatic federal student loan servicer license shall provide written
629 notice to the commissioner not more than 7 business days after receiving notification of the
630 expiration, revocation or termination of a contract awarded by the United States Secretary of
631 Education under 20 U.S.C 1087f. An automatic federal student loan servicer license shall
632 immediately expire if the licensee is no longer acting as a student loan servicer pursuant to a
633 contract with the United States Secretary of Education under said 20 U.S.C. 1087f. Nothing in
634 this subsection shall prevent the commissioner from issuing a cease and desist or injunction
635 against a student loan servicer to cease activities in violation of this chapter to the extent
636 permitted by law.

637 (g) A student loan servicer license issued pursuant to subsection (e) shall be valid for 1
638 year as of a date determined by the commissioner unless suspended or revoked and shall not be
639 automatically renewed.

640 (h) A student loan servicer license issued pursuant to subsection (e) may be renewed
641 upon the filing of a renewal application containing all of the required documents and fees as
642 provided in subsection (c). A renewal application shall be filed not less than 30 days before the
643 expiration of the student loan servicer's current license. The commissioner may assess a late fee
644 for renewal applications filed less than 30 days before the expiration of a student loan servicer
645 license.

646 If an application for renewal of a student loan servicer license under said subsection (e)
647 has been filed with the commissioner not later than the date the previous license is to expire, the
648 license sought to be renewed shall continue in full force and effect until the issuance of the
649 renewal license or until the commissioner has notified the licensee in writing of the
650 commissioner's refusal to renew the license, together with the grounds upon which that refusal is
651 based. The commissioner may refuse to renew a student loan servicer license for any reason that
652 the commissioner may refuse to issue an initial student loan servicer license under said
653 subsection (e).

654 (i) The commissioner may consider an application for a student loan servicer license
655 under subsection (e) abandoned if the applicant fails to respond to a request for information
656 required under this section within 60 days after such request is made. The commissioner shall
657 notify the applicant, in writing, that the application shall be considered abandoned if the
658 applicant fails to submit that information within the required time period. Abandonment of an
659 application pursuant to this subsection shall not preclude the applicant from submitting a new
660 application for a student loan servicer license under this chapter.

661 Section 3. Not later than 15 days after a licensed student loan servicer ceases to engage in
662 the business of student loan servicing for any reason including, but not limited to: (i) a business
663 decision to terminate operations in the commonwealth; (ii) license expiration, revocation or
664 termination; (iii) bankruptcy; or (iv) voluntary dissolution, the licensee shall provide written
665 notice of surrender to the commissioner and shall surrender to the commissioner the student loan
666 servicer license or automatic federal student loan servicer license for each location in which the
667 licensee has ceased to engage in such business.

668 The notice shall include, but not be limited to: (i) the location where the records of the
669 student loan servicer shall be stored; and (ii) the name, address and telephone number of an
670 individual authorized to provide access to the records. The surrender of a student loan servicer
671 license or automatic federal student loan servicer license shall not affect the licensee's civil or
672 criminal liability arising from acts or omissions occurring before the surrender of the license.

673 Section 4. The commissioner may participate in a multistate licensing system for the
674 sharing of regulatory information and for the application, by electronic or other means, and
675 licensing of persons engaged in student loan servicing. The commissioner may establish
676 requirements for participation by an applicant in a multistate licensing system that vary from the
677 provisions of this chapter. The commissioner may require a background investigation of each
678 applicant for a student loan servicer license by means of fingerprint and state and national
679 criminal history record checks by the department of criminal justice information services
680 pursuant to section 172 of chapter 6 and the Federal Bureau of Investigation.

681 If the applicant is a partnership, association, corporation or other form of business
682 organization, the commissioner may require a background investigation for each member,
683 director and principal officer of the applicant and any individual acting as a manager of an office
684 location. The applicant shall pay directly to the multistate licensing system any additional fees
685 related to participation in the multistate licensing system.

686 Section 5. (a) If a person licensed as a student loan servicer under subsection (e) of
687 section 2 intends to operate at any place in addition to the address on the license or plans to
688 change the location of its place of business, the licensee shall: (i) notify the commissioner, in
689 writing, not less than 30 days before doing so; and (ii) shall pay a fee for each additional location

690 at a reasonable cost as determined by the commission. Such notice shall contain the address of
691 any additional or changed location and such other information required by the commissioner. A
692 student loan servicer license shall not be transferable or assignable.

693 (b) A student loan servicer shall maintain adequate records of each student loan
694 transaction for not less than 2 years following the final payment on the student loan or the
695 assignment of the student loan, whichever occurs first, or except as otherwise required by federal
696 law or a contract with the United States Secretary of Education under 20 U.S.C. 1087f. The
697 commissioner may request these records from a student loan servicer and the servicer shall
698 comply with the request not later than 5 business days after the request is received. The
699 commissioner may, upon request, grant a student loan servicer additional time to make such
700 records available.

701 Section 6. A student loan servicer shall comply with all applicable federal laws and
702 regulations relating to student loan servicing. A violation of a federal law or regulation shall be a
703 violation of this chapter and the commissioner may investigate any such violation pursuant to
704 section 7.

705 Section 7. (a) The commissioner shall conduct investigations and examinations for: (i)
706 initial licensing, license renewal, license suspension, license revocation or termination or
707 determining compliance with this chapter; and (ii) investigation of violations or complaints
708 arising under this chapter.

709 In an investigation or examination conducted pursuant to this section, the commissioner
710 may access, receive and use information from any relevant party's books, accounts, records,
711 files, documents and other information as needed.

712 If there is reason to believe that a person other than a licensee has violated this chapter,
713 the commissioner may investigate the person as necessary. The commissioner may examine the
714 person who allegedly violated this chapter and may compel the production of relevant books,
715 accounts, records, files, documents and other information as needed.

716 The total cost for any investigation or examination shall be paid by the student loan
717 servicer not more than 30 days after the receipt of an invoice for the total cost, shall be in
718 accordance with fees determined annually by the secretary of administration and finance
719 pursuant to section 3B of chapter 7 and shall include expenses for necessary travel outside of the
720 commonwealth to conduct the investigation or examination.

721 All records of investigations and reports of examinations by the commissioner, including
722 workpapers, information derived from the reports and responses to the reports, and any copies
723 thereof in the possession of a student loan servicer under the supervision of the commissioner,
724 shall be confidential and privileged communications; provided, however, that nothing in this
725 subsection shall interfere with the work of the office of the student loan ombudsman established
726 under section 35 of chapter 12; and provided further, that records shall be made public if it is in
727 the public interest.

728 For the purposes of this subsection, records of investigation and reports of examinations
729 shall include records of investigation and reports of examinations conducted by a financial
730 regulatory agency of the federal government, another state or a foreign government that are
731 considered confidential by the agency or foreign government and are in the possession of the
732 commissioner. In a proceeding before a court, the court may issue a protective order in
733 appropriate circumstances to protect the confidentiality of the record and order that the record on

734 file with the court or filed in connection with the court proceeding be sealed and that the public
735 be excluded from any portion of the proceeding at which the record is disclosed. Copies of the
736 reports of examination shall be furnished to a licensee for the licensee's use only and shall not be
737 exhibited to any other person, organization or agency without prior written approval by the
738 commissioner. The commissioner may furnish information, reports and statements relating to the
739 licensees under the commissioner's supervision to regulatory agencies of the federal government,
740 other states and foreign countries and to law enforcement agencies as considered appropriate.

741 (b) In an investigation or examination conducted pursuant to this section, the
742 commissioner shall have free access to the documents and records of the student loan servicer or
743 any other person under investigation or examination. Unless the commissioner has reasonable
744 grounds to believe that the documents or records of the student loan servicer or other person have
745 been or are at risk of being altered or destroyed for the purposes of concealing a violation of this
746 chapter, the student loan servicer or owner of the documents and records shall have access to the
747 documents or records as necessary to conduct ordinary business affairs.

748 (c) No student loan servicer or person subject to investigation or examination under this
749 section shall knowingly withhold, amend, remove, mutilate or destroy any books, records,
750 computer records or other information requested by the commissioner.

751 (d) The commissioner may suspend a student loan servicer license issued under
752 subsection (e) of section 2 if the commissioner finds that: (i) the student loan servicer has
753 violated this chapter; or (ii) a fact or condition exists that would have warranted a denial of the
754 license if the fact or condition existed at the time of the original application for the license.

755 (e) The commissioner may revoke or refuse to renew a student loan servicer license
756 issued under subsection (e) of section 2 if the commissioner finds: (i) 2 or more violations or
757 facts or conditions as described in subsection (d) during a license period; (ii) reckless or willful
758 conduct on the part of the licensee; or (iii) it is in the public interest to revoke or refuse to renew
759 the license.

760 (f) Notwithstanding any general or special law to the contrary, if the commissioner
761 determines that a person has violated this chapter or that a person or entity associated with a
762 student loan servicer has committed fraud or engaged in unfair, deceptive or dishonest activities,
763 the commissioner may take action against that person or entity including, but not limited to: (i)
764 suspension or revocation of that person's license pursuant to subsection (e); (ii) imposition of an
765 administrative penalty of not more than \$50,000 per incident; or (iii) both.

766 Section 8. A student loan servicer shall not engage in unfair methods of competition or
767 unfair or deceptive acts or practices. A violation of this chapter shall also be a violation of
768 chapter 93A. Nothing in this chapter shall preclude an action being brought under said chapter
769 93A or any other law.

770 The commissioner may notify the attorney general or the student loan ombudsman
771 established in section 35 of chapter 12 of a potential violation of this chapter or said chapter 93A.

772 Section 9. The commissioner shall promulgate rules and regulations necessary to
773 implement this chapter.

774 CHAPTER 93M.

775 BAD FAITH ASSERTIONS OF PATENT INFRINGEMENT.

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

778 “Assertion of patent infringement”, (i) the sending or delivering of a demand letter to a
779 target; (ii) the threatening of a target with litigation and asserting, alleging or claiming that the
780 target has engaged in patent infringement; (iii) the sending or delivering of a demand letter to the
781 customers of a target; or (iv) a claim or allegation, other than those made in litigation against a
782 target, that a target has engaged in patent infringement or that a target should obtain a license to a
783 patent in order to avoid litigation, or any similar assertion.

784 “Demand letter”, a letter, e-mail or other communication asserting, alleging or claiming
785 that the target has engaged in patent infringement or that a target should obtain a license to a
786 patent in order to avoid litigation, or any similar assertion.

787 “Target”, a person residing in, conducting substantial business in or having its principal
788 place of business in Massachusetts against whom an assertion of patent infringement is made.

789 Section 2. (a) A person shall not make an assertion of patent infringement in bad faith. In
790 determining whether a person has made an assertion of patent infringement in bad faith, and in
791 addition to any other factor the court finds relevant, a court may consider whether: (i) the
792 demand letter failed to contain the following information: (A) the patent number; (B) the name
793 and address of the patent owner or owners and assignee or assignees, if any; and (C) factual
794 allegations concerning the specific areas in which the target’s products, services or technology
795 infringe the patent or are covered by the claims in the patent; (ii) the target requested information
796 described in clause (i) that was not included in the demand letter and the person failed to provide
797 the information within a reasonable period of time; (iii) the demand letter demanded payment of

798 a license fee or response within an unreasonably short period of time; (iv) the claim or assertion
799 of patent infringement was meritless and the person knew, or should have known, that the claim
800 or assertion was meritless; (v) the claim or assertion of patent infringement was deceptive; (vi)
801 the person or its subsidiaries or affiliates have previously filed or threatened to file 1 or more
802 lawsuits based on the same or similar claim of patent infringement and (A) those threats or
803 lawsuits lacked the information described in said clause (i); or (B) the person attempted to
804 enforce the claim of patent infringement in litigation and a court found the claim to be meritless;
805 and (vii) the patent has been held invalid or unenforceable in a final judgment or administrative
806 decision.

807 (b) A court may consider the following factors, and any other factors the court finds
808 relevant, as evidence that a person has not made an assertion of patent infringement in bad faith:
809 (i) the demand letter contained the information described in clause (i) of subsection (a); (ii) the
810 target requested such information described in said clause (i) of said subsection (a) that was not
811 included in the demand letter and the person provided the information within a reasonable period
812 of time; (iii) prior to sending the demand letter, the person failed to conduct an analysis
813 comparing the claims in the patent to the target's products, services or technology or whether
814 such an analysis failed to identify specific areas in which the products, services or technology are
815 covered by the claims in the patent; (iv) the person engaged in a good faith effort to establish that
816 the target has infringed the patent and to negotiate an appropriate remedy; and (v) the person is
817 the inventor or joint inventor of the patent or, in the case of a patent filed by and awarded to an
818 assignee of the original inventor or joint inventor, the original assignee.

819 (c) This chapter shall not apply to: (i) an institution of higher education or a technology
820 transfer organization owned or affiliated with an institution of higher education; (ii) a non-profit

821 research institute or organization that manages inventions on behalf of an institute of higher
822 education or a non-profit research institute or organization as a primary function; (iii) a person
823 who is currently making significant investments in: (A) research and development in connection
824 with the patented technology; provided, however, that “development” shall mean technical or
825 experimental work to create, test, qualify, modify or validate technologies or processes for
826 commercialization of goods or services; (B) development, product marketing, manufacturing or
827 sale of products or processes covered by the patent; (C) the delivery or provision of goods or
828 commercial services using the patented technology; or (D) a combination of subclauses (A) to
829 (C), inclusive; and (iv) a person whose business is the licensing of patents as a wholly-owned
830 subsidiary of a person described in clause (iii).

831 Section 3. (a) A target or a person aggrieved by a violation of this chapter may bring an
832 action in superior court against a person who has made a bad-faith assertion of patent
833 infringement. The court may award to a plaintiff who prevails in an action brought pursuant to
834 this subsection 1 or more of the following remedies: (i) equitable relief; (ii) damages; (iii) costs
835 and fees, including reasonable attorneys’ fees; and (iv) exemplary damages in an amount equal
836 to \$50,000 or 3 times the total of damages, costs and fees, whichever is greater.

837 (b) A person who by contract, agreement or otherwise, directly or indirectly, arranged for
838 the bad faith assertion of patent infringement and a person who otherwise caused or is legally
839 responsible for such bad faith assertion of patent infringement under the principles of the
840 common law shall be liable to a prevailing plaintiff for all damages, costs and fees. Such liability
841 shall be joint and several.

842 (c) A court may award to a defendant who prevails in an action brought pursuant to this
843 section costs and fees, including reasonable attorneys' fees, if the court finds the action was not
844 well-grounded in fact and warranted by existing law or was interposed for any improper purpose,
845 such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

846 (d) Nothing in this chapter shall limit any right or remedy otherwise available under law
847 to the commonwealth or to any person.

848 Section 4. The attorney general shall have the same authority under this chapter to make
849 rules, conduct civil investigations, bring civil actions and enter into assurances of discontinuance
850 as provided under chapter 93A. In an action brought by the attorney general pursuant to this
851 section, the court may award or impose any relief available under this chapter.

852 SECTION 23. Chapter 138 of the General Laws is hereby amended by striking out
853 section 15F, as appearing in the 2018 Official Edition, and inserting in place thereof the
854 following section:-

855 Section 15F. (a) For the purposes of this section, "agricultural event" shall only include
856 events certified by the department of agricultural resources pursuant to this section.

857 (b) Notwithstanding any other provision of this chapter, the local licensing authority of a
858 city or town authorized to grant licenses to sell alcoholic beverages under this chapter may issue
859 to an applicant a special license to sell: (i) wine produced by or for the applicant at an indoor or
860 outdoor agricultural event if the wine is in sealed containers for off-premises consumption and
861 the applicant is authorized to operate a farmer-winery under section 19B; (ii) malt beverages
862 produced by or for the applicant at an indoor or outdoor agricultural event if the malt beverages
863 are in sealed containers for off-premises consumption and the applicant is authorized to operate a

864 farmer-brewery under section 19C; or (iii) distilled spirits produced by or for the applicant at an
865 indoor or outdoor agricultural event if the spirits are in sealed containers for off-premises
866 consumption, the applicant is authorized to operate a farmer-distillery under section 19E and the
867 city or town is authorized to grant licenses for the sale of all alcoholic beverages.

868 (c) The sale of alcoholic beverages under this section shall be conducted by the licensee
869 or by an agent, representative or solicitor of the licensee to customers who are not less than 21
870 years of age. A licensee under this section may provide samples of its alcoholic beverages to
871 prospective customers at an indoor or outdoor agricultural event without charge. A sample shall
872 be served by the licensee or by an agent, representative or solicitor of the licensee to individuals
873 who are not less than 21 years of age and shall be consumed in the presence of the licensee or an
874 agent, representative or solicitor of the licensee; provided, however, that a sample of wine shall
875 not exceed 1 ounce, a sample of a malt beverage shall not exceed 2 ounces and a sample of
876 distilled spirits shall not exceed $\frac{1}{4}$ ounce; and provided further, that not more than 5 samples
877 shall be served to an individual prospective customer.

878 (d) An applicant for a special license under this section shall first submit a plan to the
879 department of agricultural resources that shall demonstrate that the event is an agricultural event.
880 The plan shall include: (i) a description of the event; (ii) the date, time and location of the event;
881 (iii) a copy of the operational guidelines or rules for the event; (iv) written proof that the
882 applicant has been approved as a vendor at the event, including the name and contact information
883 of the on-site manager; and (v) a plan depicting the premises and the specific location where the
884 license shall be exercised. Upon review of the plan, the department may certify that the event is
885 an agricultural event; provided, however, that in making that determination, the department shall
886 consider: (i) whether the event is operating as a farmers' market or agricultural fair approved or

887 inspected by the department; (ii) the frequency and regularity of the event, including dates, times
888 and locations; (iii) the number of vendors; (iv) the terms of vendor agreements; (v) the presence
889 of an on-site manager; (vi) the training of the on-site manager; (vii) any operational guidelines or
890 rules, which shall include vendor eligibility and produce source; (viii) the focus of the event on
891 local agricultural products grown or produced within the market area; (ix) the types of shows or
892 exhibits, including those described in clause (f) of section 2 of chapter 128; and (x) the event's
893 sponsorship or operation by an agricultural or horticultural society organized under the laws of
894 the commonwealth or by a local grange organization or association that has a primary purpose of
895 promoting agriculture and its allied industries. The department may promulgate rules and
896 regulations necessary for the operation, oversight, approval and inspection of agricultural events
897 under this section.

898 In addition to its application, an applicant for a special license under this section shall file
899 with the local licensing authority proof of certification from the department of agricultural
900 resources that the event is an agricultural event. A special license shall designate the specific
901 premises and the dates and times covered; provided, however, that a special license may be
902 granted for an indoor or outdoor agricultural event that takes place on multiple dates or times
903 during a single calendar year; provided further, that a special license shall not be granted for an
904 agricultural event if the event will not take place within 1 calendar year.

905 (e) A special license under this section shall be conspicuously displayed at the licensed
906 premises. The licensing authority shall submit a copy of a special license to the commission not
907 less than 7 days before the date the agricultural event is first scheduled to begin. The local
908 licensing authority may charge a fee for each special license granted; provided, however, that the

909 fee shall not exceed \$50. A special license shall not be transferable to any other person,
910 corporation or organization and shall be clearly marked “nontransferable” on its face.

911 (f) A special license under this section may be granted by a local licensing authority for a
912 portion of premises that are licensed under section 12; provided, however, that: (i) the holder of
913 the special license shall document the legal basis for use of the premises; (ii) the area in which
914 the special license is to be approved shall be physically delineated from the area remaining under
915 the control of the holder of the license granted under said section 12; (iii) the holder of the
916 special license shall be solely liable for all activities that arise from the special license; and (iv)
917 the holder of the special license shall not pay any consideration, directly or indirectly, to the
918 holder of the license granted under said section 12 for the access to or use of the premises.

919 The commission may promulgate rules and regulations as it deems appropriate to
920 implement this section.

921 SECTION 24. Section 87T of chapter 112 of the General Laws, as so appearing, is
922 hereby amended by inserting after the word “hairdressing”, in line 63, the following words:- ;
923 provided further, that “hairdressing” shall not include natural hair braiding.

924 SECTION 25. Said section 87T of said chapter 112 is hereby further amended by
925 inserting after the definition of “Mobile services”, as so appearing, the following definition:-

926 “Natural hair braiding”, twisting, wrapping, weaving, extending, locking or braiding the
927 hair of any person either by hand or with a mechanical device.

928 SECTION 26. The first paragraph of section 87V of said chapter 112, as so appearing, is
929 hereby amended by adding following sentence:- Natural hair braiding shall be exempt from the
930 rules and regulations issued by the board.

931 SECTION 27. Section 24L of chapter 149 of the General Laws, as so appearing, is
932 hereby amended by striking out, in lines 82 and 83, the words:- , as that term is defined in section
933 1 of chapter 93L.

934 SECTION 28. Section 276 of chapter 165 of the acts of 2014 is hereby amended by
935 striking out the words “and 2020”, inserted by section 237 of chapter 218 of the acts of 2016, and
936 inserting in place thereof the following words:-, 2020, 2021, 2022 and 2023.

937 SECTION 29. Subsection (b) of section 58 of chapter 228 of the acts of 2018 is hereby
938 amended by striking out the words “neither the New Bedford State Pier nor the Fall River State
939 Pier shall be used to support facilities for offshore energy exploration or development” and
940 inserting in place thereof the following words:- “that the New Bedford State Pier shall not be
941 used to support facilities for offshore energy exploration or development; provided further, that
942 the Fall River State Pier shall not be used for offshore oil and gas exploration or development;
943 provided further, that the Fall River State Pier may be used to support offshore wind
944 development and operations.

945 SECTION 30. (a) There shall be a special commission to conduct a comprehensive study
946 relative to the impact of automation, artificial intelligence, global trade, access to new forms of
947 data and the internet of things on the workforce, businesses and economy. The main objective of
948 the commission shall be to ensure sustainable jobs, fair benefits and workplace safety standards
949 for workers in all industries, including, but not limited to, access to adequate and affordable

950 health insurance, financial security in retirement, unemployment insurance and disability
951 insurance. The commission shall consist of: 2 persons appointed by the president of the senate, 1
952 of whom shall serve as co-chair; 2 persons appointed by the speaker of the house of
953 representatives, 1 of whom shall serve as co-chair; 1 person appointed by the minority leader of
954 the senate; 1 person appointed by the minority leader of the house of representatives; the
955 secretary of labor and workforce development or a designee; 2 persons appointed by the
956 governor, 1 of whom shall have expertise in the future of work issues and 1 of whom shall have
957 experience in workforce training and education; 2 persons appointed by the attorney general, 1 of
958 whom shall have expertise in fair labor and workers' rights and 1 of whom shall have expertise
959 in future of work issues; and 6 persons appointed by the co-chairs, 3 of whom shall be members
960 of the labor community with experience in future of work issues and 3 of whom shall be
961 members of the business community with experience in future of work issues.

962 (b) The commission shall study and evaluate the future of work including, but not limited
963 to: (i) trends and drivers of the transformation of industries and employment and how they will
964 impact workers; (ii) policies and practices that may assist workers, businesses and communities
965 to thrive and maintain a robust economy while responding to the rapid transformation of
966 technology, workplace practices, environmental and security concerns and global
967 interdependence; (iii) the impact of industry transformation on worker access to affordable and
968 adequate healthcare, financial security in retirement and adequate unemployment insurance,
969 disability insurance and other benefits; (iv) best practices on maintaining cohesive and beneficial
970 partnerships between workers and employers during industry growth and transformation; and (v)
971 any other factors the commission deems relevant.

972 (c) The commission, in collaboration with the executive office of labor and workforce
973 development, shall: (i) develop and maintain an inventory of the current and future trends and
974 factors that will likely drive the transformation of industries and work over the next 25 years; (ii)
975 research best practices from state, national and international sources and develop case studies
976 and examples for the future of work; (iii) gather data and input from employers and workers
977 from the major industrial sectors in every region of the commonwealth; and (iv) work with
978 organizations that engage in workforce training to identify best practices and any obstacles that
979 may exist to adequate workforce training during future industry transformation.

980 (d) The task force shall meet not less than 4 times in different geographic regions and
981 shall accept input from the public during not less than 2 public hearings and solicit expert
982 testimony from individuals identified by the commission. The commission shall convene its first
983 meeting not later than September 1, 2020.

984 (e) Not later than September 1, 2021, the commission shall file a report of its analysis,
985 recommendations and any proposed legislation necessary to effectuate its recommendations to
986 the clerks of the senate and house of representatives, the joint committee on economic
987 development and emerging technologies and the joint committee on labor and workforce
988 development.

989 The report shall include, but not be limited to, legislative and policy recommendations
990 that: (i) ensure workers in the future secure access to affordable and adequate healthcare,
991 financial security in retirement and adequate unemployment insurance, disability insurance and
992 other benefits; (ii) provide for portable, transferable, cost-efficient and time-efficient
993 credentialing; (iii) support life-long learning and talent development for workers of all ages; (iv)

994 help workers maintain relevant skills or learn new skills for the careers and workplaces of the
995 future; (v) prepare young people to succeed in the careers and workplaces of the future; (vi)
996 ensure employers and workforce training entities are up to date on training needs for workers in
997 current and future industries and careers; and (vii) enable workers, businesses and workforce
998 training entities to simultaneously learn and incorporate new technologies into workforce
999 training.

1000 SECTION 31. Notwithstanding any general or special law to the contrary, certain
1001 regulatory approvals are hereby extended as provided in this section.

1002 (a) For purposes of this section, the following words shall have the following meanings
1003 unless the context clearly requires otherwise:

1004 “Approval”, except as otherwise provided in subsection (b), any permit, certificate, order,
1005 excluding enforcement orders, license, certification, determination, exemption, variance, waiver,
1006 building permit or other approval or determination of rights from any municipal, regional or state
1007 governmental entity, including any agency, department, commission or other instrumentality
1008 thereof, concerning the use or development of real property, including certificates, licenses,
1009 certifications, determinations, exemptions, variances, waivers, building permits or other
1010 approvals or determinations of rights issued or made under chapter 21, chapter 21A except
1011 section 16 of said chapter 21A, chapter 21D, sections 61 to 62I, inclusive, of chapter 30, chapters
1012 30A, 40, 40A to 40C, inclusive, 40R, 41, 43D, section 21 of chapter 81, chapters 91, 131, 131A,
1013 143, sections 4 and 5 of chapter 249 or chapter 258 of the General Laws or chapter 665 of the
1014 acts of 1956 or any local by-law or ordinance.

1015 “Development”, division of a parcel of land into 2 or more parcels, the construction,
1016 reconstruction, conversion, structural alteration, relocation or enlargement of a building or other
1017 structure or facility or any grading, soil removal or relocation, excavation or landfill or any use
1018 or change in the use of any building or other structure or land or extension of the use of land.

1019 “Tolling period”, the period from March 10, 2020 to March 10, 2021, inclusive.

1020 (b) (1) Notwithstanding any general or special law to the contrary, an approval in effect
1021 or existence during the tolling period shall be extended for a period of 1 year in addition to the
1022 lawful term of the approval.

1023 (2) Nothing in this section shall extend or purport to extend: (i) a permit or approval
1024 issued by the federal government or an agency or instrumentality thereof or a permit or approval
1025 of which the duration of effect or the date or terms of its expiration are specified or determined
1026 under a law or regulation of the federal government or an agency or instrumentality thereof; (ii) a
1027 permit, license, privilege or approval issued by the division of fisheries and wildlife under
1028 chapter 131 of the General Laws; (iii) an approval, determination, exemption, certification,
1029 statement of qualification or any other administrative action by the department of energy
1030 resources under 225 CMR 20.00, subsection (c) of section 17 of chapter 25A of the General
1031 Laws or corresponding regulations at 225 CMR 21.00; or (iv) any agreement entered into by the
1032 Massachusetts Department of Transportation or the Massachusetts Bay Transportation Authority
1033 or any permit, license or approval issued by the department or authority relating to the sale,
1034 acquisition or lease or development of real property owned in whole or in part by the department
1035 or authority or the sale, acquisition, lease or development of any interest therein related to such
1036 real property pursuant to chapter 6C or chapter 161A of the General Laws.

1037 (3) Nothing in this section shall affect the ability of a municipal, regional or state
1038 governmental entity, including an agency, department, commission or other instrumentality
1039 thereof, to revoke or modify a specific permit or approval, or extension of a specific permit or
1040 approval under this section, when that specific permit or approval or the law or regulation under
1041 which the permit or approval was issued contains language authorizing the modification or
1042 revocation of the permit or approval.

1043 (4) If an approval tolled under this section is based upon the connection to a sanitary
1044 sewer system, the approval's extension shall be contingent upon the availability of sufficient
1045 capacity, on the part of the treatment facility, to accommodate the development whose approval
1046 has been extended. If sufficient capacity is not available, those permit holders whose approvals
1047 have been extended shall have priority with regard to the further allocation of gallonage over
1048 those permit holders who have not received approval of a hookup prior to the effective date of
1049 this section. Priority regarding the distribution of further gallonage to a permit holder who has
1050 received the extension of an approval under this section shall be allocated in order of the granting
1051 of the original approval of the connection.

1052 (5) If an owner or petitioner sells or otherwise transfers a property or project in order for
1053 an approval to receive an extension all commitments made by the original owner or petitioner
1054 under the terms of the permit must be assigned to and assumed by the new owner or petitioner. If
1055 the new owner or petitioner does not meet or abide by such commitments, then the approval shall
1056 not be extended under this section.

1057 (6) Nothing in this section shall be construed or implemented in such a way as to modify
1058 a requirement of law that is necessary to retain federal delegation to or assumption by the
1059 commonwealth of the authority to implement a federal law or program.

1060 SECTION 32. Notwithstanding any general or special law to the contrary, to meet the
1061 expenditures necessary in carrying out section 2, the state treasurer shall, upon receipt of a
1062 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
1063 by the governor from time to time but not exceeding, in the aggregate, \$240,100,000. All bonds
1064 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
1065 Economic Development Act of 2020” and shall be issued for a maximum term of years not
1066 exceeding 30 years as the governor may recommend to the general court pursuant to section 3 of
1067 Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however,
1068 that all such bonds shall be payable not later than June 30, 2055. All interest and payments on
1069 account of principal on such obligations shall be payable from the General Fund. Bonds and
1070 interest thereon issued under the authority of this section shall, notwithstanding any other
1071 provision of this act, be general obligations of the commonwealth.

1072 SECTION 33. Notwithstanding any general or special law to the contrary, to meet the
1073 expenditures necessary in carrying out section 2A, the state treasurer shall, upon receipt of a
1074 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
1075 by the governor from time to time but not exceeding, in the aggregate, \$135,000,000. All bonds
1076 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
1077 Economic Development Act of 2020” and shall be issued for a maximum term of years not
1078 exceeding 30 years as the governor may recommend to the general court pursuant to section 3 of
1079 Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however,

1080 that all such bonds shall be payable not later than June 30, 2055. All interest and payments on
1081 account of principal on such obligations shall be payable from the General Fund. Bonds and
1082 interest thereon issued under the authority of this section shall, notwithstanding any other
1083 provision of this act, be general obligations of the commonwealth.

1084 SECTION 34. The secretary of administration and finance shall establish the fees
1085 required under chapter 93L of the General Laws not later than December 31, 2020.

1086 SECTION 35. The first report required under section 35 of chapter 12 of the General
1087 Laws shall be submitted not later than January 1, 2022.

1088 SECTION 36. Sections 7 and 16 shall take effect on September 1, 2020.

1089 SECTION 37. Chapter 93L of the General Laws shall take effect on January 1, 2021.