

An Act making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are to make supplemental appropriations for fiscal year 2024 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2024, the sums set forth in section 2 are hereby appropriated from the General Fund or the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2024. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. Except as otherwise provided, these sums shall be made available through the fiscal year ending June 30, 2025.

SECTION 2.

OFFICE OF THE COMPTROLLER

Comptroller

1599-3384	Settlements and	
	Judgments.....	\$15,000,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund or the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2024. Except as otherwise provided, these sums shall be made available through the fiscal year ending June 30, 2025.

1599-1213 For a reserve to support the commonwealth's response to the ongoing humanitarian crisis and influx of families seeking shelter; provided, that funds shall be expended for the emergency housing assistance program to support shelters and services pursuant to section 30 of chapter 23B of the General Laws; provided further, that not less than \$10,000,000 shall be expended on an approved training program, as defined by section 30 of chapter 23B of

the General Laws, as inserted by section 3, to provide skills and resources for individuals and families in the emergency housing assistance program or in overflow emergency shelter sites; provided further, that not less than \$3,000,000 shall be expended for family welcome centers; provided further, that not less than \$1,000,000 shall be expended for supplemental staffing at emergency housing assistance program shelters; provided further, that not less than \$1,000,000 shall be expended for resettlement agencies; provided further, that funds shall be expended for early education programs providing comprehensive services to homeless children and families residing in the emergency housing assistance program, including, but not limited to, services for: (i) early education; (ii) health; (iii) mental health; (iv) nutrition; and (v) family education and resources; provided further, that said funds shall include, but shall not be limited to, costs associated with translation services, transportation and coordination of services; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means not less than 14 days prior to any transfer of funds from this item; and provided further, that any reporting requirements for this item shall be in addition to the reporting required pursuant to: (i) item 1599-0514 of section 2A of chapter 77 of the acts of 2023; and (ii) sections 14 and 16 of this act.....\$245,000,000

Transitional Escrow Fund.....100%

SECTION 3. Section 30 of chapter 23B of the General Laws, as amended by sections 120 and 121 of chapter 7 of the acts of 2023, is hereby further amended by adding the following paragraph:-

(G)(1) For the purposes of this paragraph, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Approved training program”, an existing training program the secretary of administration and finance, in consultation with the secretary of labor and workforce development, deems sufficient to provide skills and resources to individuals in the emergency housing assistance program including, but not limited to: (i) workforce and career technical skills training, pursuant to item 1599-2037 of section 2A of chapter 102 of the acts of 2021; (ii) high-demand workforce training programs, pursuant to item 1599-2041 of said section 2A of said chapter 102; (iii) the manufacturing pilot program, established pursuant to item 7002-0020 of section 2 of chapter 28 of the acts of 2023; (iv) the Learn to Earn Initiative program, established pursuant to item 7002-1080 of said section 2 of said chapter 28; (v) 1199 SEIU training, pursuant to item 7003-0608 of said section 2 of said chapter 28; (vi) Massachusetts AFL-CIO Workforce Development Programs, Inc., pursuant to item 7003-1207 of said section 2 of said chapter 28; and (vii) shelter workforce development initiative, pursuant to item 7004-0109 of said section 2 of said chapter 28; provided, that the approved training program shall be available to individuals in non-state-funded overflow emergency shelter sites and state-funded overflow emergency shelter sites.

“Authorized training program”, as defined in paragraph (1) of subsection (dd) of section 6 of chapter 62.

“Non-state-funded overflow emergency shelter site”, any overflow site that is funded through a nonprofit or other non-state entity for eligible families that have been waitlisted for placement at an emergency shelter as a result of the emergency housing assistance program reaching capacity at 7,500 families, as identified in the Emergency Assistance Family Shelter declaration issued by the secretary of housing and livable communities on October 31, 2023, and the extension of the declaration dated February 28, 2024, and any subsequent extensions, pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023, and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10.

“State-funded overflow emergency shelter site”, any state-funded overflow site, including, but not limited to, any site funded under item 1599-0514 of section 2 of chapter 77 of the acts of 2023, for eligible families that have been waitlisted for placement at an emergency shelter as a result of the emergency housing assistance program reaching capacity at 7,500 families, as identified in the Emergency Assistance Family Shelter declaration issued by the secretary of housing and livable communities on October 31, 2023, and the extension of the declaration dated February 28, 2024, and any subsequent extensions, pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023, and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10.

(2) A family with children or a pregnant woman with no other children that receives benefits through the emergency housing assistance program as of April 1, 2024, or thereafter, shall remain eligible for the program for not more than 9 consecutive months; provided, however, that such families shall be eligible for the program for not more than 12 consecutive months if eligible individuals in the family are: (i) employed; or (ii) participating in an: (A) authorized training program; or (B) approved training program; provided further, that the executive office shall promulgate regulations or guidance for eligibility which shall: (i) establish procedures for the termination of benefits pursuant to this paragraph; and (ii) allow a family with children or a pregnant woman with no other children to reapply for the emergency housing assistance program; provided further, that eligibility determinations when reapplying for the program shall be consistent with the guidance issued by the secretary of housing and livable communities on October 31, 2023, entitled “Emergency Assistance Program Guidance on Waitlist and Prioritization Procedures pursuant to Capacity Declaration dated October 31, 2023” pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023.

(3) Notwithstanding paragraph (2), a family or a pregnant woman with no other children that receives benefits through the emergency housing assistance program as of April 1, 2024, or thereafter, shall remain eligible for the program for not more than 12 consecutive months if eligible for, but unable to participate in, an authorized training program or an approved training program or unable to obtain employment due to factors including, but not limited to: (i) pregnancy; (ii) a diagnosed disability or documented medical condition; (iii) being a single parent caring for a disabled child or family member; (iv) being a single parent caring for a child or children with no childcare; or (v) satisfying any additional criteria the secretary of housing and livable communities deems necessary pursuant to said guidance in paragraph (2) issued by

the secretary of housing and livable communities on October 31, 2023. The executive office shall promulgate regulations or guidance for implementation of this paragraph.

(4) The executive office shall provide a physical copy of written information to families with children and pregnant women receiving benefits through the emergency housing assistance program in the form of printed handouts which shall include, but shall not be limited to, information about: (i) authorized training programs; (ii) approved training programs; (iii) food resources, including food pantries; (iv) services offered by resettlement agencies; (v) other housing programs; and (vi) other nonprofit or available resources the executive office deems necessary. All written information shall be translated into multiple languages and shall be available on the executive office's website.

SECTION 4. Paragraph (G) of said section 30 of said chapter 23B, as inserted by section 3, is hereby repealed.

SECTION 5. Chapter 40A of the General Laws is hereby amended by inserting after section 3A the following section:-

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

“Commission”, the alcoholic beverages control commission, established by section 70 of chapter 10.

“Outdoor table service”, restaurant service that includes food prepared on-site and under a food establishment permit issued by a municipal authority pursuant to 105 CMR 590.00 that is served to seated diners outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area or other outdoor space.

(b) Notwithstanding the provisions of this chapter, any special permit, variance or other approval issued thereunder or any general or special law to the contrary, a city or town may approve a request for expansion of outdoor table service, including in the description of the licensed premises as described in subsection (c), or an extension of an earlier granted approval. Before such approval, the mayor, board of selectmen, select board or other chief executive officer, as established by charter or special act, shall establish the process for approving such requests. Such process shall not be required to comply with the notice and publication provisions of section 11. An approval under this section may be exercised immediately upon filing of notice thereof with the city or town clerk, without complying with any otherwise applicable recording or certification requirements.

(c) Pursuant to subsection (b), a local licensing authority may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service as the local licensing authority deems reasonable and proper and may issue an amended license to existing license holders, without further review or approval from the commission prior to issuance. Upon approval of an amended license, the local licensing authority shall provide notice

of the amended license to the commission. Nothing in this section shall prevent the commission from exercising the commission's enforcement authority over an amended license.

(d) Before approving any request to extend an earlier granted approval, a city, town or local licensing authority may modify the scope of the approval as the city, town or local licensing authority deems proper and appropriate including, but not limited to, modifying the terms of an earlier granted approval to address potential issues with snow removal, pedestrian traffic or similar concerns.

SECTION 6. Section 6 of chapter 62 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following subsection:-

(dd)(1) As used in this subsection, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Authorized training program”, a program approved by the secretary of administration and finance and the secretary of labor and workforce development that is offered by an employer to train qualified trainees; provided, that said program shall assist qualified trainees in developing skills and accessing resources to prepare qualified trainees to enter the workforce; and provided further, that no authorized training program shall provide compensation to a qualified trainee without work authorization and said program shall ensure the qualified trainee has no expectation of compensation for training.

“Qualified trainee”, an individual receiving benefits through the emergency housing assistance program pursuant to section 30 of chapter 23B and 760 CMR 67.00 or an individual in an overflow emergency shelter site established in response to the capacity limitation on said program pursuant to a declaration issued by the secretary of housing and livable communities dated October 31, 2023, the extension of the declaration dated February 28, 2024 and any subsequent extensions, issued pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023 and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10, who: (i)(A) has not received work authorization; or (B) is currently unemployed; and (ii) is participating in an authorized training program.

“Training”, teaching, developing or enhancing skills and knowledge to improve capacity, productivity and performance to enter the workforce, including, but not limited to, classes, clinics or other hands-on methods.

“Work authorization”, federal authorization to work in the United States pursuant to 8 CFR 274a.

(2) A partnership, limited liability corporation or other legal entity that is not a business corporation subject to the excise under chapter 63 may be allowed a nonrefundable credit equal to \$2,500 for each qualified trainee who receives training through an authorized training program by said partnership, limited liability corporation or other legal entity in a taxable year. If the

credit allowed for a taxable year exceeds the taxpayer's liability for that taxable year, the taxpayer may carry forward and apply the credit in the subsequent taxable year.

(3) To be eligible for the credit pursuant to paragraph (2), the partnership, limited liability corporation or other legal entity shall: (i) have a place of business in the commonwealth; (ii) conduct the authorized training program in the commonwealth and in compliance with recommendations of the secretary of labor and workforce development pursuant to paragraph (5); and (iii) meet any additional requirements determined by the secretary of administration and finance and the secretary of labor and workforce development.

(4) The total amount of credits that may be authorized in a taxable year pursuant to this subsection and section 38NN of chapter 63 shall not exceed \$10,000,000.

(5) The secretary of labor and workforce development shall:

(i) identify industries with the greatest workforce needs in geographically diverse areas of the commonwealth in which qualified trainees may be employed after receiving work authorization; provided, that the secretary of labor and workforce development shall identify industries with varying work experience, education, certification and licensure requirements for training;

(ii) provide recommendations for training criteria to enable qualified trainees to be successful in the workforce; provided, that the secretary of labor and workforce development shall provide specific industry recommendations for training; and provided further, that the secretary may identify existing training programs that meet said training criteria; and

(iii) perform outreach to industries identified as having the greatest workforce needs to provide notice of the tax credit program established pursuant to this subsection.

SECTION 7. Subsection (dd) of said section 6 of said chapter 62, as inserted by section 6, is hereby repealed.

SECTION 8. Chapter 63 of the General Laws is hereby amended by inserting after section 38MM the following section:-

Section 38NN. (a) As used in this subsection, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Authorized training program”, a program approved by the secretary of administration and finance and the secretary of labor and workforce development that is offered by an employer to train qualified trainees; provided, that said program shall assist qualified trainees in developing skills and accessing resources to prepare qualified trainees to enter the workforce; and provided further, that no authorized training program shall provide compensation to a qualified trainee without work authorization and said program shall ensure the qualified trainee has no expectation of compensation for training.

“Qualified trainee”, an individual receiving benefits through the emergency housing assistance program pursuant to section 30 of chapter 23B and 760 CMR 67.00 or an individual in an overflow emergency shelter site established in response to the capacity limitation on said program pursuant to a declaration issued by the secretary of housing and livable communities dated October 31, 2023, the extension of the declaration dated February 28, 2024 and any subsequent extensions, issued pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023, and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10, who: (i)(A) has not received work authorization; or (B) is currently unemployed; and (ii) is participating in an authorized training program.

“Training”, teaching, developing or enhancing skills and knowledge to improve capacity, productivity and performance to enter the workforce, including, but not limited to, classes, clinics or other hands-on methods.

“Work authorization”, federal authorization to work in the United States pursuant to 8 CFR 274a.

(b) A business corporation may be allowed a nonrefundable credit equal to \$2,500 for each qualified trainee who receives training through an authorized training program by said business corporation in a taxable year. If the credit allowed for a taxable year exceeds the taxpayer’s liability for that taxable year, the taxpayer may carry forward and apply the credit in the subsequent taxable year.

(c) To be eligible for the credit pursuant to subsection (b), the business corporation shall: (i) have a place of business in the commonwealth; (ii) conduct the authorized training program in the commonwealth and in compliance with recommendations of the secretary of labor and workforce development pursuant to subsection (e); and (iii) meet any additional requirements determined by the secretary of administration and finance and the secretary of labor and workforce development.

(d) The total amount of credits that may be authorized in a taxable year pursuant to subsection (dd) of section 6 of chapter 62 and this section shall not exceed \$10,000,000.

(e) The secretary of labor and workforce development shall:

(i) identify industries with the greatest workforce needs in geographically diverse areas of the commonwealth in which qualified trainees may be employed after receiving work authorization; provided, that the secretary of labor and workforce development shall identify industries with varying work experience, education, certification and licensure requirements for training;

(ii) provide recommendations for training criteria to enable qualified trainees to be successful in the workforce; provided, that the secretary of labor and workforce development shall provide specific industry recommendations for training; and provided further, that the secretary may identify existing training programs that meet said training criteria; and

(iii) perform outreach to industries identified as having the greatest workforce needs to provide notice of the tax credit program established pursuant to this section.

SECTION 9. Section 38NN of said chapter 63, as inserted by section 8, is hereby repealed.

SECTION 10. Chapter 138 of the General Laws is hereby amended by inserting after section 12 the following section:-

Section 12½. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Mixed drink”, distilled spirits, cordials or liqueurs, with or without mixers, that are combined on a licensed premises and sold in a sealed container or original container that is unopened; provided, that a mixed drink may contain wines and malt beverages in addition to distilled spirits, cordials or liqueurs; provided further, that the volume of distilled spirits, cordials, liqueurs, wines, malt beverages and mixers contained in said mixed drink shall be of the same proportion and same price as if served for on-premises consumption.

“Mixer”, a non-alcoholic ingredient in a mixed drink.

“Sealed container”, a packaged container with a secure lid or cap designed to prevent consumption without removal of the lid or cap; provided, however, that if the packaged container has a lid with sipping holes or an opening for straws, said container shall be covered or affixed with an additional seal; provided further, that said lid, cap or seal shall be affixed before sale in such a way to prevent reopening without it being obvious that said lid, cap or seal was removed or broken, which may include tape or a sticking adhesive.

(b) Notwithstanding any general or special law to the contrary, an establishment licensed to sell all alcoholic beverages, distilled spirits, cordials or liqueurs for on-premises consumption may sell mixed drinks for off-premises consumption subject to all the following conditions: (i) the mixed drink shall not be sold to a person under 21 years of age; (ii) any delivery of mixed drinks for off-premises consumption shall not be made without verification that the person receiving the order has attained 21 years of age; (iii) the mixed drink shall be sold in a sealed container or an original unopened container; (iv) the mixed drink shall be sold as part of the same transaction as the purchase of food, and any order that includes a mixed drink shall be placed not later than the hour of which the establishment is licensed to sell alcohol or 12:00 A.M., whichever time is earlier; provided, that a transaction shall include at least 1 item of food prepared on-site sufficient to serve 1 individual; (v) a customer shall be limited to 64 fluid ounces of mixed drinks per transaction consistent with clause (iv); and (vi) if the mixed drink in a sealed container or an original unopened container is to be transported by a motor vehicle, either by delivery or pick-up, the driver of the motor vehicle shall transport the mixed drink in the trunk of the motor vehicle or an area that is not considered the passenger area, as defined by section 24I of chapter 90.

(c) Notwithstanding any general or special law to the contrary, an establishment licensed to sell all alcoholic beverages or only wines or malt beverages for on-premises consumption may sell wine or malt beverages for off-premises consumption subject to all the following conditions: (i) the wine or malt beverage shall not be sold to a person under 21 years of age; (ii) any delivery of wine or malt beverages for off-premises consumption shall not be made without verification that the person receiving the order has attained 21 years of age; (iii) the wine or malt beverage shall be sold in a sealed container or an original unopened container; (iv) the wine or malt beverage shall be sold as part of the same transaction as the purchase of food and any order that includes wine or a malt beverage shall be placed not later than the hour of which the establishment is licensed to sell alcohol or 12:00 A.M., whichever time is earlier; provided, that a transaction shall include at least 1 item of food prepared on-site sufficient to serve 1 individual; (v) a customer shall be limited to 192 ounces of malt beverage and 1.5 liters of wine per transaction consistent with clause (iv); and (vi) if the wine or malt beverage in a sealed container or an original unopened container is to be transported by a motor vehicle, either by delivery or pick-up, the driver of the motor vehicle shall transport the wine or malt beverage in the trunk of the motor vehicle or an area that is not considered the passenger area, as defined by section 24I of chapter 90.

(d) An establishment licensed to sell alcoholic beverages for on-premises consumption shall include an establishment licensed pursuant to section 12, subsection (b) of section 19, subsection (n) of section 19B, subsection (n) of section 19C, section 19D, subsection (o) of section 19E or section 19H; provided, that an establishment licensed pursuant to said section 19D shall also hold a license pursuant to said section 12. An establishment selling alcoholic beverages for off-premises consumption may only sell alcoholic beverages permitted pursuant to their type and category of license.

(e)(1) An establishment licensed to sell alcoholic beverages for on-premises consumption that delivers any alcoholic beverage for off-premises consumption in a vehicle owned or leased by the establishment or its employees shall obtain a transportation permit pursuant to section 22 for each vehicle used for delivery of alcoholic beverages.

(2) An establishment licensed to sell alcoholic beverages for on-premises consumption that delivers any alcoholic beverage for off-premises consumption may use a third party with a permit for express transportation pursuant to section 22 for delivery of alcoholic beverages.

SECTION 11. Section 7A of chapter 167E of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the word “person”, in line 14, the following words:- , by synchronous real-time video conference or by telephone.

SECTION 12. Section 65C ½ of chapter 171 of the General Laws, as so appearing, is hereby amended by inserting after the word “person”, in line 14, the following words:- , by synchronous real-time video conference or by telephone.

SECTION 13. Section 31A of chapter 20 of the acts of 2021, as amended by section 41 of chapter 2 of the acts of 2023, is hereby further amended by striking out the words “March 31, 2024” and inserting in place thereof the following words:- March 31, 2025.

SECTION 14. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Approved training program”, an existing training program the secretary of administration and finance, in consultation with the secretary of labor and workforce development, deems sufficient to provide skills and resources to individuals in the emergency housing assistance program, established in section 30 of chapter 23B of the General Laws, including, but not limited to: (i) workforce and career technical skills training, pursuant to item 1599-2037 of section 2A of chapter 102 of the acts of 2021; (ii) high-demand workforce training programs, pursuant to item 1599-2041 of said section 2A of said chapter 102; (iii) the manufacturing pilot program, established pursuant to item 7002-0020 of section 2 of chapter 28 of the acts of 2023; (iv) the Learn to Earn Initiative program, established pursuant to item 7002-1080 of said section 2 of said chapter 28; (v) 1199 SEIU training, pursuant to item 7003-0608 of said section 2 of said chapter 28; (vi) Massachusetts AFL-CIO Workforce Development Programs, Inc., pursuant to item 7003-1207 of said section 2 of said chapter 28; and (vii) shelter workforce development initiative, pursuant to item 7004-0109 of said section 2 of said chapter 28; provided, that the approved training program shall be available to individuals in non-state-funded overflow emergency shelter sites and state-funded overflow emergency shelter sites.

“Authorized training program”, a program approved by the secretary of administration and finance and the secretary of labor and workforce development that is offered by an employer to train qualified trainees; provided, that said program shall assist qualified trainees in developing skills and accessing resources to prepare qualified trainees to enter the workforce; and provided further, that no authorized training program shall provide compensation to a qualified trainee without work authorization and said program shall ensure the qualified trainee has no expectation of compensation for training.

“Non-state-funded overflow emergency shelter site”, any overflow site that is funded through a nonprofit or other non-state entity for eligible families that have been waitlisted for placement at an emergency shelter as a result of the emergency housing assistance program, established in section 30 of chapter 23B of the General Laws, reaching capacity at 7,500 families, as identified in the Emergency Assistance Family Shelter declaration issued by the secretary of housing and livable communities on October 31, 2023, and the extension of the declaration dated February 28, 2024, and any subsequent extensions, pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023, and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10.

“Qualified trainee”, an individual receiving benefits through the emergency housing assistance program pursuant to section 30 of chapter 23B of the General Laws and 760 CMR 67.00 or an individual in an overflow emergency shelter site established in response to the capacity limitation on said program pursuant to a declaration issued by the secretary of housing and livable communities dated October 31, 2023, the extension of the declaration dated February 28, 2024 and any subsequent extensions, issued pursuant to 760 CMR 67.10, as inserted by

emergency regulations issued by the executive office of housing and livable communities on October 31, 2023 and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10, who: (i)(A) has not received work authorization; or (B) is currently unemployed; and (ii) is participating in an authorized training program.

“State-funded overflow emergency shelter site”, any state-funded overflow site, including, but not limited to, any site funded under item 1599-0514 of section 2 of chapter 77 of the acts of 2023, for eligible families that have been waitlisted for placement at an emergency shelter as a result of the emergency housing assistance program reaching capacity at 7,500 families, as identified in the Emergency Assistance Family Shelter declaration issued by the secretary of housing and livable communities on October 31, 2023, and the extension of the declaration dated February 28, 2024, and any subsequent extensions, pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023, and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10.

(b) Notwithstanding any general or special law to the contrary, any state-funded overflow emergency shelter site operational as of March 15, 2024 shall serve families and pregnant women with no other children until the hour of 9 A.M. each day and no family or pregnant woman shall be required to leave the state-funded overflow emergency shelter site prior to 9 A.M.; provided, that any state-funded overflow emergency shelter site that becomes operational after March 15, 2024 shall be open 24 hours per day 7 days per week to provide services to families with children and pregnant women with no other children.

(c) If multiple state-funded overflow emergency shelter sites are required to maintain shelter for newly arriving migrants, refugees and asylum seekers, state-funded overflow emergency shelter sites shall be located in geographically diverse areas throughout the commonwealth.

(d) All state-funded overflow emergency shelter sites and, to the extent feasible, non-state-funded overflow emergency shelter sites shall provide information to families about authorized training programs and approved training programs offered to provide skills and resources to individuals for assistance in entering the workforce; provided, that eligible individuals in the family shall be authorized to participate in the authorized training programs and the approved training programs; provided further, that all state-funded overflow emergency shelter sites and non-state-funded overflow emergency shelter sites shall provide information to families and pregnant women about other resources available, including, but not limited to: (i) food resources, including food pantries in close proximity to said overflow emergency shelter site; (ii) services offered by resettlement agencies; (iii) housing programs; and (iv) other available resources from nonprofits or other sources.

(e) The secretary of housing and livable communities shall submit to the house and senate committees on ways and means not less than every 30 days a report with data for each state-funded overflow emergency shelter site and, to the extent feasible, each non-state-funded overflow emergency shelter site, including the following information: (i) types of services provided to families, including a breakdown of the types of services and hours of availability of

services; (ii) total number of families; (iii) number of families new to the overflow emergency shelter site since the last report; (iv) total number of individuals; (v) number of individuals new to the overflow emergency shelter site since the last report; (vi) average length of stay, in days, for individuals in an overflow emergency shelter site, including a breakdown of data on: (A) the family with the longest length of stay; (B) families that have been placed in the emergency shelter assistance program from a state-funded overflow emergency shelter site or non-state-funded overflow emergency shelter site; and (C) families that are no longer in the state-funded overflow emergency shelter site or non-state-funded overflow emergency shelter site but have not been placed in the emergency assistance program; (vii) a procurement record for state-funded overflow sites for supplies and services necessary to provide resources and necessities of daily living to families; and (viii) efforts made to connect families with additional services or programs, including, but not limited to, resettlement agencies, HomeBase or other housing programs.

SECTION 15. (a) Notwithstanding any general or special law to the contrary, not later than April 1, 2024, the governor shall seek from the United States Department of Homeland Security any and all federal approvals for a waiver to permit expedited work authorizations, temporary work authorizations or provisional work authorizations, including, but not limited to, any waiver for said work authorizations pursuant to 8 C.F.R. section 274a.12, as amended, for newly arriving migrants, refugees and asylum seekers in the commonwealth to allow said migrants, refugees and asylum seekers to create a pathway to work and to aid in alleviating the commonwealth's shelter capacity crisis for which the governor declared a state of emergency on August 8, 2023 due to the significant influx of families seeking shelter in response to ongoing humanitarian crises and conflicts around the world.

(b) The request for a waiver pursuant to subsection (a) shall include: (i) alternative approaches for work authorizations to allow for an expedited process in the commonwealth, including, but not limited to, requests for expedited work authorizations, temporary work authorizations or provisional work authorizations; provided, that 1 alternative approach shall include a proposed state sponsorship program allowing the commonwealth to sponsor said migrants, refugees and asylum seekers for a state-operated worker program; and (ii) data on the current number of migrants, refugees and asylum seekers:

(A) in the emergency housing assistance program, pursuant to section 30 of chapter 23B of the General Laws, as amended by section 3, and 760 CMR 67.00;

(B) in a state-funded overflow emergency shelter site and a non-state funded overflow emergency shelter site, as those terms are defined in section 14;

(C) ready to enter the workforce upon grant of a work authorization; and

(D) participating in training or skills-based learning programs, including but not limited to:

(1) authorized training programs, as defined in paragraph (1) of subsection (dd) of section 6 of chapter 62 of the General Laws, as inserted by section 6, and section 38NN of chapter 63 of the General Laws, as inserted by section 8; and

(2) approved training programs, as defined in said section 30 of said chapter 23B, as inserted by section 3, to be ready to enter the workforce upon grant of a work authorization.

(c) The waiver request pursuant to subsection (a) shall be publicly available on the governor's website not later than April 1, 2024.

SECTION 16. (a) The executive office of administration and finance, in consultation with the executive office of housing and livable communities and the executive office of labor and workforce development, shall submit a report to the house and senate committees on ways and means not less than every 30 days on the approved training program, as defined in section 30 of chapter 23B of the General Laws, as inserted by section 3. Said reports shall include, but shall not be limited to: (i) the total number of individuals participating in the approved training program; (ii) the total number of individuals waiting for placement to participate in an approved training program; (iii) the list of approved training programs approved by the secretary of administration and finance in consultation with the secretary of labor and workforce development; (iv) the total number of individuals from the emergency assistance shelter system participating in an approved training program; (v) the total number of individuals from an overflow emergency shelter site participating in an approved training program; (vi) the number of new individuals participating in the approved training program since the last report; (vii) the number of new individuals waiting for placement to participate in an approved training program since the last report; (viii) the list of approved training programs approved by the secretary since the last report; (ix) the number of individuals from the emergency assistance shelter system participating in an approved training program since the last report; (x) the number of individuals from an overflow emergency shelter site participating in an approved training program since the last report; (xi) geographic areas in the commonwealth, broken down by municipality, where the approved training programs are located; (xii) the total number of individuals who received work authorization while participating in an approved training program; (xiii) the number of individuals who received work authorization while participating in an approved training program since the last report; (xiv) the total number of individuals who were provided notice of the availability of an approved training program; and (xv) the number of individuals who were provided notice of the availability of an approved training program since the last report.

(b) The executive office of administration and finance, in consultation with the executive office of housing and livable communities and the executive office of labor and workforce development, shall submit a report to the house and senate committees on ways and means not less than every 30 days on the authorized training program, as defined in paragraph (1) of subsection (dd) of section 6 of chapter 62 of the General Laws, as inserted by section 6, and section 38NN of chapter 63 of the General Laws, as inserted by section 8. Said reports shall include, but shall not be limited to: (i) the implementation status of authorized training programs; (ii) the total number of employers seeking to offer an authorized training program; (iii) the number of employers seeking to offer an authorized training program since the last report; (iv) the total number of employers approved by the secretary of administration and finance and the secretary of labor and workforce development to offer an authorized training program and a breakdown of the industries and geographic area, broken down by municipality, where employers are located; (v) the number of employers approved by the secretary of administration

and finance and secretary of labor and workforce development to offer an authorized training program since the last report; (vi) the total number of individuals waiting for placement in an authorized training program; (vii) the number of individuals waiting for placement in an authorized training program since the last report; (viii) the total number of individuals from the emergency assistance shelter system participating in an authorized training program; (ix) the number of individuals from the emergency assistance shelter system participating in an authorized training program since the last report; (x) the total number of individuals from an overflow emergency shelter site participating in an authorized training program; (xi) the number of individuals from an overflow emergency shelter site participating in an authorized training program since the last report; (xii) the total number of individuals who received work authorization while participating in an authorized training program; (xiii) the number of individuals who received work authorization while participating in an authorized training program since the last report; (xiv) the total number of individuals who were provided notice of the availability of an authorized training program; (xv) the total number of individuals offered employment by an employer after receiving work authorization and participating in an authorized training program; and (xvi) the number of individuals offered employment by an employer after receiving work authorization and participating in an authorized training program since the last report.

SECTION 17. (a) Not later than 30 days after the effective date of this act, the secretary of labor and workforce development, in consultation with the secretary of administration and finance, shall promulgate regulations or guidance for the administration of the authorized training programs established in subsection (dd) of section 6 of chapter 62 of the General Laws, as inserted by section 6, and section 38NN of chapter 63 of the General Laws, as inserted by section 8, including, but not limited to, requirements to be deemed an authorized training program.

(b) Not later than 30 days after the effective date of this act, the commissioner of the department of revenue, in consultation with the secretary of labor and workforce development and the secretary of administration and finance, shall promulgate regulations or guidance for the administration of the tax credit established in subsection (dd) of section 6 of chapter 62 of the General Laws, as inserted by section 6, and section 38NN of chapter 63 of the General Laws, as inserted by section 8.

SECTION 18. Section 14 is hereby repealed.

SECTION 19. Section 4 shall take effect on April 1, 2025 or upon the end of the capacity limitation on the emergency shelter assistance program pursuant to the declaration issued by the secretary of housing and livable communities dated October 31, 2023, the extension of the declaration dated February 28, 2024 and any subsequent extensions, issued pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023, and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10, whichever is sooner.

SECTION 20. Sections 5 and 10 shall take effect as of April 1, 2024.

SECTION 21. Sections 6 and 8 shall take effect for taxable years beginning on or after January 1, 2024.

SECTION 22. Sections 7 and 9 shall take effect on January 1, 2026 or in the taxable year of the end of the capacity limitation on the emergency shelter assistance program pursuant to a declaration issued by the secretary of housing and livable communities dated October 31, 2023, the extension of the declaration dated February 28, 2024 and any subsequent extensions, issued pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office of housing and livable communities on October 31, 2023 and accompanying guidance issued pursuant to said declaration and 760 CMR 67.10, whichever is sooner.

SECTION 23. Sections 11 to 13, inclusive, shall take effect as of March 31, 2024.

SECTION 24. Section 18 shall take effect 30 days after the closure of the last state-funded overflow emergency shelter site or non-state-funded overflow emergency shelter site, as those terms are defined in section 14; provided, that if a state-funded overflow emergency shelter site or non-state-funded overflow emergency shelter site reopens, or a new state-funded overflow emergency shelter site or non-state-funded overflow emergency shelter site opens, for any reason all reporting required pursuant to section 14 shall resume until 30 days after closure of the sites.