

HOUSE No. 4693

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, October 30, 2025.

The committee on Higher Education, to whom was referred the message from Her Excellency the Governor recommending legislation to build resilient infrastructure to generate higher-ed transformation (House, No. 54), reports recommending that the accompanying bill (House, No. 4693) ought to pass.

For the committee,

DAVID M. ROGERS.

The Commonwealth of Massachusetts

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

An Act to build resilient infrastructure to generate higher-ed transformation.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the public higher education capital improvement needs of the commonwealth, 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:

1 SECTION 1. To provide for a program of capital improvements to public higher
2 education institutions to provide support for these institutions in carrying out their educational
3 missions and to enhance regional economic development through their educational initiatives the
4 sums set forth in section 2 to 2B, inclusive, for the several purposes and subject to the conditions
5 specified in this act, are hereby made available, subject to the laws regulating the disbursement
6 of public funds, which sums shall be in addition to any other amounts previously appropriated
7 for these purposes.

8 SECTION 2.

9 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

10 *Division of Capital Asset Management and Maintenance*

11 7066-8001 For costs associated with deferred maintenance, modernization,
12 decarbonization and major capital projects, planning and studies, dispositions, acquisition of land
13 and buildings and interests therein by purchase or by eminent domain under chapter 79 and for
14 the preparation of plans and specifications, repairs, construction, renovations, improvements,
15 maintenance and repair, asset management and demolition at state university and community
16 college campus facilities and grounds; provided, that all projects approved for design and
17 construction by the division of capital asset management and maintenance shall be consistent in
18 priority and need with campus master plans developed by the division of capital asset
19 management and maintenance in consultation with the presidents of the state universities and
20 community colleges and approved by the secretary of education and the secretary of
21 administration and finance; provided further, that all maintenance and repair work funded by this
22 item shall be included in the capital asset management information system administered by the
23 division of capital asset management and maintenance; provided that costs payable from this
24 item shall include, but not be limited to, the costs of design, architecture and engineering, and
25 other services essential to these projects rendered by division of capital asset management and
26 maintenance employees or by consultants; provided further, that amounts expended for division
27 employees may include the salary and salary-related expenses of these employees to the extent
28 that they work on or in support of these projects..... \$1,250,000,000

29 7100-1001 For costs associated with deferred maintenance, modernization,
30 decarbonization and major capital projects, planning and studies, dispositions, acquisition of land
31 and buildings and interests therein by purchase or by eminent domain under chapter 79, for the
32 preparation of plans and specifications, repairs, construction, renovations, improvements,
33 maintenance and repair, asset management and demolition at the University of Massachusetts

34 campus facilities and grounds; provided, that all projects approved for design and construction
35 by the division of capital asset management and maintenance shall be consistent in priority and
36 need with a campus master plan approved by the president of the University of Massachusetts
37 and the board of trustees of the University of Massachusetts; provided further, that all
38 maintenance and repair work funded by this item shall be included in the capital asset
39 management information system administered by the division of capital asset management and
40 maintenance; provided that costs payable from this item shall include, but not be limited to, the
41 costs of design, architecture and engineering and other services essential to these projects
42 rendered by division of capital asset management and maintenance employees or by consultants;
43 provided further, that amounts expended for division employees may include the salary and
44 salary-related expenses of these employees to the extent that they work on or in support of these
45 projects.....\$1,250,000,000

46 7066-8002 For costs associated with plans and specifications, planning and studies,
47 dispositions, acquisition of land and buildings and interests therein by purchase or by eminent
48 domain under chapter 79, redevelopment, demolition, remediation, relocation, and other capital
49 projects to support the transition of campus facilities and real property for purposes of housing
50 and mixed use development with the approval of the secretary of administration and finance, in
51 consultation with the secretaries of education and housing and livable communities; provided,
52 that funds from this item may be granted to the Massachusetts state college building authority
53 established in chapter 703 of the acts of 1963, as amended, for the purpose of supporting
54 adaptive reuse of state university and community college campus facilities for housing and
55 associated infrastructure with the approval of the secretary of administration and finance, in

56 consultation with the secretaries of education and housing and livable
57 communities.....\$100,000,000

58 7066-8003 For costs associated with developing decarbonization plans for
59 Massachusetts public institutions of higher education and costs associated with decarbonization
60 and energy efficiency projects, including but not limited to preparation of plans and
61 specifications, electrification and replacement of fossil-fuel-dependent campus and building
62 infrastructure, renovation of building envelopes to reduce energy consumption, purchase and
63 installation of energy efficiency or other capital equipment, and construction, reconstruction,
64 renovation, demolition and other improvements and retrofits to facilities including those
65 necessary for the installation and use of such equipment, and for decarbonization grants to public
66 institutions of higher education; provided, that all projects approved for design and construction
67 by the commissioner of the division of capital asset management and maintenance under this
68 item shall be consistent with approved decarbonization plans developed by the division of capital
69 asset management and maintenance.....\$80,000,000

70 7066-8004 For costs associated with: (i) laboratory modernization, furnishing,
71 equipping, and related safety, ventilation, other associated renovations, rehabilitation,
72 construction and reconstruction to support laboratory modernization at public institutions of
73 higher education; (ii) repair, renovation, furnishing, construction, reconstruction, remediation,
74 modernization and equipping of facilities at Massachusetts community colleges and vocational
75 technical schools to support collaborations between Massachusetts community colleges and
76 vocational technical schools; provided, however, that funds for this purpose shall not exceed
77 \$10,000,000 for any 1 collaboration; and (iii) repair, renovation, furnishing, construction,
78 reconstruction, remediation, modernization and equipping of facilities to support student health,

79 mental health, wellness, accessibility, equity, safety, community engagement and other student
80 support needs at Massachusetts public higher education campuses provided further, that the
81 secretary of administration and finance and the secretary of education shall jointly submit an
82 annual report, not later than December 31, to the clerk of the house of representatives, the clerk
83 of the senate, the chairs of the house and senate committees on ways and means and the chairs of
84 the joint committee on higher education detailing: (i) the number of stackable credentials earned
85 by students across collaborations between Massachusetts community colleges and vocational
86 technical schools; (ii) the percentage of vocational technical school students utilizing programs
87 or facilities at partner community colleges; and (iii) a status report tracking each project from
88 initiation to completion, including project phase, cost and anticipated completion
89 date.....\$120,000,000

90 7066-8005 For costs associated with developing campus master plans for
91 Massachusetts public institutions of higher education\$30,000,000

92 SECTION 2A.

93 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

94 *Office of the Secretary*

95 1100-2523 For a grant program to be administered by the executive office for
96 administration and finance, in consultation with the executive office of education, to provide
97 funding for repairs, construction, reconstruction, demolition, remediation, rehabilitation,
98 modernization, disposition, renovations, improvements and maintenance, decarbonization and
99 climate resilience upgrades and other related capital projects at Massachusetts public higher
100 education campuses provided, that grants shall be distributed equitably among the university of

101 Massachusetts segment, the state university segment and the community college segment, and
102 geographically across the commonwealth..... \$50,000,000

103 SECTION 2B.

104 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

105 *Office of the Secretary*

106 1790-3019 For costs associated with technology capital projects and initiatives that
107 facilitate or enhance remote and hybrid learning opportunities and student support at
108 Massachusetts public higher education institutions, including but not limited to, the preparation
109 of plans and specifications, purchase, procurement, acquisition, licensing and implementation of
110 information technology, telecommunications and data-security-related equipment, hardware,
111 software, systems including but not limited to enterprise resource planning systems and
112 intellectual property and related projects approved by the secretary of technology services and
113 security in consultation with the secretary of administration and finance.....\$20,000,000

114 EXECUTIVE OFFICE OF EDUCATION

115 *Office of the Secretary*

116 7009-2009 For a competitive grant program to be administered by the executive
117 office of education, in consultation with the executive office of economic development and the
118 executive office of labor and workforce development, to provide funding for the purchase and
119 installation of equipment and related improvements and renovations to facilities necessary for the
120 installation and use of such equipment and to establish, upgrade and expand career technical
121 education and training programs that are aligned to regional economic and workforce

122 development priorities; provided, that grant applications may facilitate collaboration to provide
123 students enrolled in high schools with vocational and technical programs with postsecondary
124 opportunities consistent with those reported in clause (o) of the first paragraph of section 22 of
125 chapter 15A of the General Laws and section 37A of chapter 74 of the General Laws; provided
126 further, that grants may be made available to eligible vocational technical schools to provide
127 students enrolled in high schools with vocational and technical programs with said opportunities;
128 and provided further, that grants shall be distributed equitably among the university of
129 Massachusetts segment, the state university segment and the community college segment and
130 geographically across the commonwealth.....\$100,000,000

131 SECTION 3. Section 5 of chapter 7C of the General Laws, as appearing in the 2022
132 Official Edition, is hereby amended by inserting after the third sentence the following sentence:-

133 Notwithstanding the foregoing, the commissioner may delegate control and supervision
134 over projects involving structural or mechanical work with an estimated cost of less than
135 \$10,000,000 to the Massachusetts State College Building Authority if the commissioner
136 determines that the Massachusetts State College Building Authority has the ability to control and
137 supervise such project.

138 SECTION 4. Said chapter 7C of the General Laws is hereby amended by inserting after
139 section 34 the following section:-

140 Section 34A. Notwithstanding section 34, if the chancellor or president of a public
141 institution of higher education determines, and with the approval of the commissioner of higher
142 education, that real property of any such public institution of higher education, as defined in
143 section 5 of chapter 15A, is surplus to the current and foreseeable needs of such institution, the

144 commissioner may dispose of such property, provided that the institution's board of trustees does
145 not disapprove of such determination within 60 days after the president's determination; and
146 provided, further that any such disposition shall be subject to section 36.

147 If the commissioner determines that the property is not needed for current and
148 foreseeable needs of such institution, the commissioner shall provide written notice, for each city
149 or town in which the property is located, to the city manager in the case of a city under Plan E
150 form of government, the mayor and city council in the case of all other cities, the chairman of the
151 board of selectmen in the case of a town, the county commissioners, the regional planning
152 agency and the members of the general court. The commissioner shall set forth in such notice a
153 description of the property and a declaration that the property is surplus to the needs of such
154 institution.

155 If the commissioner determines that the property is not needed for current and
156 foreseeable needs of such institution and that the property should be disposed of, either
157 temporarily or permanently, the commissioner shall declare that the property is available for
158 disposition and shall determine appropriate reuse restrictions. The commissioner shall ensure that
159 any rental agreement, and in the case of a conveyance a deed or separate disposition agreement
160 as deemed appropriate by the commissioner, shall set forth all such reuse restrictions; shall
161 provide for effective remedies on behalf of the commonwealth, including if deemed appropriate
162 by the commissioner that title to the property, or such lesser interest as is the subject of the
163 disposition agreement, shall revert to the commonwealth in the event of a violation of any such
164 reuse restriction; and shall provide, in the case of a disposition to a public agency for a direct
165 public use, that the title to the property, or such lesser interest as is the subject of the disposition

166 agreement, shall revert to the commonwealth in the event the property is no longer utilized for
167 such direct public use.

168 In determining reuse restrictions, the commissioner shall conform to all such restrictions
169 pertaining to the property which may have been mandated by the general court, and may adopt
170 additional restrictions, taking account of established state and local plans and policies. The
171 commissioner shall conduct a public hearing to consider reuse restrictions if the property exceeds
172 2 acres or if the gross square footage of all structures on the property is greater than or equal to
173 150,000 square feet or if the commissioner determines that a hearing should be held for a smaller
174 parcel. Notice of the public hearing shall be placed at least once each week for 4 consecutive
175 weeks preceding the hearing, in newspapers with sufficient circulation to inform the people of
176 the affected locality. The hearing shall be held in the locality in which the property is located no
177 sooner than 30 days and no later than 35 days after notice thereof is published in the central
178 register. After the hearing is conducted, the commissioner shall make a draft of any reuse
179 restrictions available to the public and shall accept written comments for a period of 21 days. If
180 after the hearing is conducted the commissioner determines that no reuse restrictions are
181 necessary, the commissioner shall make that decision available to the public and accept written
182 comments on that decision for a period of 21 days.

183 The commissioner shall establish the value of the property, through procedures
184 customarily accepted by the appraising profession as valid for determining property value, for
185 both the highest and best use of the property as currently encumbered and under the reuse
186 restrictions as determined pursuant to this section. The commissioner shall submit any appraisal
187 to the inspector general for review and comment. The inspector general shall review and approve
188 the appraisal and the review shall include an examination of the methodology utilized for the

189 appraisal. The inspector general shall prepare a report and file the report with the commissioner.
190 The commissioner shall submit copies of the appraisal, and the inspector general's review and
191 approval and comments, if any, to the house and senate committees on ways and means and the
192 joint committee on state administration and regulatory oversight not less than 15 days prior to the
193 execution of documents effecting a disposition.

194 No agreement for the rental or other disposition of state-owned real property disposed of
195 pursuant to this section, and no deed, executed by or on behalf of the commonwealth, shall be
196 valid unless such agreement or deed contains the following declaration, signed by the
197 commissioner:

198 The undersigned certifies under penalties of perjury that I have fully complied with
199 sections 34A and 36 of chapter 7C of the General Laws in connection with the property
200 described herein.

201 The proceeds realized from the disposition of real property pursuant to this section shall
202 be deposited into the Higher Education Property Disposition Fund established pursuant to section
203 2JJJJJJ of chapter 29.

204 SECTION 5. Section 59 of said chapter 7C of the General Laws, as so appearing, is
205 hereby amended by striking out, in lines 18 to 20, inclusive, the words "No provider of design
206 services for any building project for which a state agency is the using agency shall be selected by
207 the designer selection board or by the administering agency and" and inserting in place thereof
208 the following words:- For any building project with an estimated construction cost greater than
209 \$500,000.

210 SECTION 6. Section 2BBBBBB of chapter 29 of the General Laws, inserted by section
211 17 of chapter 28 of the acts of 2023, and as most recently amended by sections 52 through 57,
212 inclusive, of chapter 140 of the acts of 2024, is hereby amended by striking out subsections (f)
213 and (g) and inserting in place thereof the following 4 subsections:-

214 (f) When authorized by a vote taken by the yeas and nays of two-thirds of each house of
215 the general court present and voting on such authorization, including any authorization in effect
216 as of July 1, 2025, the state treasurer, upon the request of the governor, may issue bonds of the
217 commonwealth as hereinafter provided. Any such bonds shall be special obligations of the
218 commonwealth payable solely from monies credited to the Education and Transportation Fund ;
219 provided, however, that notwithstanding any general or special law to the contrary, including,
220 but not limited to, section 60A, such bonds shall not be general obligations of the
221 commonwealth.

222 Bonds may be issued in such manner and on such terms and conditions as the state
223 treasurer may determine in accordance with this paragraph and, to the extent not inconsistent
224 with this paragraph, the General Laws for the issuance of bonds of the commonwealth. Bonds
225 may be secured by a trust agreement entered into by the state treasurer, with the concurrence of
226 the secretary of administration and finance, on behalf of the commonwealth, which trust
227 agreement may pledge or assign all or any part of monies credited to the Education and
228 Transportation Fund and accounts within the Fund and rights to receive the same, whether
229 existing or coming into existence and whether held or thereafter acquired, and the proceeds
230 thereof. The state treasurer may, with the concurrence of the secretary of administration and
231 finance, enter into additional security, insurance or other forms of credit enhancement which
232 may be secured on a parity or subordinate basis with the bonds. A pledge in any such trust

233 agreement or credit enhancement agreement shall be valid and binding from the time such pledge
234 shall be made without any physical delivery or further act, and the lien of such pledge shall be
235 valid and binding against all parties having claims of any kind in tort, contract or otherwise,
236 whether such parties have notice thereof or not. Any such pledge shall be perfected by filing of
237 the trust agreement or credit enhancement agreement in the records of the state treasurer and no
238 filing need be made under chapter 106. Any such trust agreement or credit enhancement
239 agreement may establish provisions defining defaults and establishing remedies and other
240 matters relating to the rights and security of the holders of the bonds or other secured parties as
241 determined by the state treasurer, including provisions relating to the establishment of reserves,
242 the issuance of additional or refunding bonds, whether or not secured on a parity basis, the
243 application of receipts, monies or funds pledged pursuant to such agreement, the regulation of
244 the custody, investment and application of monies and such other matters deemed necessary or
245 desirable by the state treasurer for the security of such bonds. Any such bonds shall be deemed to
246 be investment securities under chapter 106, securities in which any public officer, fiduciary,
247 insurance company, financial institution or investment company may properly invest funds and
248 securities which may be deposited with any public custodian for any purpose for which the
249 deposit of bonds is authorized by law. Any such bonds, the transfer of such bonds and the
250 income from such bonds, including profit on the sale of such bonds, shall at all times be exempt
251 from taxation by and within the commonwealth.

252 The provisions of this section relating to bonds shall also be applicable to the issuance of
253 notes insofar as such provisions may be appropriate for such notes.

254 In order to increase the marketability of any such bonds or notes issued by the
255 commonwealth and in consideration of the acceptance of payment for any such bonds or notes,

256 the commonwealth covenants with the purchasers and all subsequent holders and transferees of
257 any such bonds or notes that while any such bond or note shall remain outstanding, and so long
258 as the principal of or interest on any such bond or note shall remain unpaid: (i) no pledged funds
259 shall be diverted from the Education and Transportation Fund or from any account within the
260 Fund; (ii) in any fiscal year of the commonwealth and until an appropriation has been made
261 which is sufficient to pay the principal, including sinking fund payments, of and interest on all
262 such bonds and notes of the commonwealth and to provide for or maintain any reserves,
263 additional security, insurance or other forms of credit enhancement required or provided for in
264 any trust agreement securing any such bonds or notes, no pledged funds shall be applied to any
265 other use; and (iii) so long as such revenues are necessary, as determined by the state treasurer in
266 accordance with any applicable trust agreement or credit enhancement agreement, for the
267 purposes for which they have been pledged, and notwithstanding any general or special law to
268 the contrary, the rates of the excise imposed in subsection (d) of said section 4 of chapter 62 shall
269 not be reduced below the amount in effect at the time of issuance of any such bond or note.

270 (g) The annual spending threshold shall be equal to the prior year spending threshold, less
271 the dedicated transportation income surtax revenue amount, plus an adjustment factor equal to
272 the 10-year rolling rate of growth of income subject to the tax specified in subsection (d) of
273 section 4 of chapter 62 as certified by the commissioner of revenue. For years in which the tax
274 specified in said subsection (d) of said section 4 of said chapter 62 was not in effect, the
275 commissioner shall calculate the amount of income that would have been subject to the taxes,
276 adjusted for increases in the cost of living in the same manner as described in Article XLIV of
277 the Amendments to the Constitution of the Commonwealth and set forth pursuant to said

278 subsection (d) of said section 4 of said chapter 62. Debt obligations secured by a trust established
279 under subsection (f) shall not be subject to the annual spending threshold.

280 (h) Any expenditures authorized from the fund shall be subject to sections 9B and 9C,
281 without respect to whether such purposes would otherwise be subject to allotment; provided,
282 however, that section 9C shall only apply where the amount of certified revenue in any fiscal
283 year is less than the annual spending threshold established under subsection (g).

284 (i) Annually, in consultation with the secretary of administration and finance, as part of
285 the annual statutory basis financial report required pursuant to paragraph (2) of subsection (a) of
286 section 12 of chapter 7A, the comptroller shall certify the amount of funds expended in the prior
287 fiscal year from the fund and designate each expenditure as transportation or education on the
288 basis of the department or purpose for which the expenditures were authorized.

289 SECTION 7. Section 2DDDDDD of said chapter 29, as inserted by section 17 of chapter
290 28 of the acts of 2023, is hereby amended by striking out subsections (a) and (b) and inserting in
291 place thereof the following 2 subsections:-

292 Section 2DDDDDD. (a) There shall be an account within the Education and
293 Transportation Fund known as the Education and Transportation Innovation and Capital
294 Account. The account shall be credited with: (i) funds transferred pursuant to subsection (c) of
295 section 2BBBBBB; (ii) appropriations or other money authorized or transferred by the general
296 court and specifically designated to be credited to the account; (iii) funds from public and private
297 sources, including, but not limited to, gifts, grants and donations; and (iv) any interest earned on
298 the assets of the account.

299 Amounts credited to the account may be expended, subject to appropriation, on 1-time
300 investments, including, but not limited to, pay-go capital or other 1-time projects, related to
301 quality public education and affordable public colleges and universities and for the repair and
302 maintenance of roads, bridges public transit and rail equipment and facilities, culverts, bicycle
303 and pedestrian infrastructure such as paths, trails, sideways, walkways, and other public ways
304 and similar public transportation infrastructure. Amounts credited to the account shall be made
305 available for expenditure upon their certification pursuant to section 5I. The account shall not be
306 subject to section 5C. Amounts in the account shall be available to pay any debt obligations
307 secured by a trust established under said section 2BBBBBB.

308 (b) The comptroller shall certify the balance of the account at the end of each fiscal year.

309 SECTION 8. Said chapter 29 of the General Laws is hereby amended by inserting after
310 section 2IIIIII, as inserted by section 58 of chapter 140 of the acts of 2024, the following
311 section:-

312 Section 2JJJJJJ. There shall be established and set up on the books of the commonwealth
313 a separate, non-budgeted special revenue fund known as the Higher Education Property
314 Disposition Fund, hereinafter referred to as the fund, which shall be administered by the
315 commissioner of the division of capital asset management and maintenance. The fund shall be
316 credited with: (i) the proceeds realized from the disposition of real property pursuant to section
317 34A of chapter 7C; (ii) any appropriation, grant, gift or other contribution made to the fund; and
318 (iii) any interest earned on money in the fund.

319 Amounts credited to the fund may be expended, without further appropriation, for capital
320 facility projects that address: (i) decarbonization; (ii) deferred maintenance; and (iii) critical

321 repairs to campus or building infrastructure, including, but not limited to, accessibility. Said
322 proceeds may also be expended for capital facility projects that involve programmatic
323 improvements funded through other sources provided the disposition proceeds are used for the
324 purposes described in this paragraph.

325 The unexpended balance in the fund at the end of a fiscal year shall remain available for
326 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund
327 to be in deficit at any point.

328 Annually, not later than December 31, the commissioner of the division of capital asset
329 management and maintenance shall submit a report on the fund's expenditures to the clerks of the
330 house of representatives and the senate, the chairs of the house and senate committees on ways
331 and means and the chairs of the joint committee on higher education. The annual report shall
332 include: (i) a list of institutions and capital facility projects receiving funds; (ii) the associated
333 amounts committed and expended for each project; (iii) a categorization of each project by
334 primary purpose, including: decarbonization, deferred maintenance, critical repairs to campus or
335 building infrastructure or programmatic improvements; (iv) a status report tracking each project
336 from initiation to completion, including project phase and anticipated completion date; and (v)
337 outcome metrics for completed projects, including: (1) square footage renovated; (2) estimated
338 annual emissions reductions measured in metric tons of carbon dioxide equivalent; (3) the dollar
339 value of deferred maintenance addressed; and (4) the number and type of accessibility barriers
340 removed.

341 SECTION 9. Section 1 of chapter 703 of the acts of 1963, as most recently amended by
342 section 121 of chapter 68 of the acts of 2011, is hereby amended by striking out the definition of
343 “Project” and inserting in place thereof the following definition:-

344 (e) “Project”, the construction of new buildings or structures and the acquisition, addition
345 to, alteration, enlargement, reconstruction, rehabilitation, remodeling and other work, including,
346 but not limited to, the alteration or modification of existing facilities or the construction of
347 additional or new facilities required or made desirable by changes in or enactments of new law or
348 regulation or changes in or new circumstances such as, by way of example and not by way of
349 limitation, provision for access or use by handicapped persons, provision for conservation of
350 energy, provision for safety and security of persons and property, provision for other compliance
351 with changed or new law, regulation or circumstance, in or upon or respecting existing buildings
352 or structures, the provision and installation therein or in respect thereof of furnishings, furniture,
353 machinery, equipment, facilities, approaches, driveways, walkways, parking areas, planting and
354 landscaping, the acquisition of land, other property, rights, easements and interests acquired for
355 or in respect to any thereof, the demolition or removal of any buildings or structures, including
356 buildings or structures owned by the commonwealth, on land so acquired or interests in which
357 are so acquired and site preparation, with respect to which the Authority shall provide by
358 resolution for the issuance of a series of bonds or notes; provided, however, that the term project
359 shall also include the control and supervision of a building project delegated to the Authority by
360 the commissioner of capital asset management and maintenance pursuant to section 5 of chapter
361 7C of the General Laws. Whenever appropriate the word shall also mean such land, buildings or
362 structures and such appurtenances.

363 SECTION 9A. Section 2 of said chapter 703 is hereby amended by striking out the
364 second paragraph and inserting in place thereof the following paragraph:-

365 The Authority shall consist of 11 members: 9 members appointed by the governor, of
366 whom 3 members shall be appointive members of the trustees and may, but need not, be
367 graduates of a state college or university; 1 member, who shall serve ex officio as a non-voting
368 member, appointed by the council of presidents of the Massachusetts state university system who
369 shall be a president of a Massachusetts state university or a designee; and 1 member, who shall
370 serve ex officio as a non-voting member, appointed by the Massachusetts association of
371 community colleges who shall be a president of a Massachusetts community college or a
372 designee. The members appointed from the appointive members of the trustees shall continue in
373 office so long as they continue in office as trustees, and such dual membership shall not
374 invalidate any action heretofore or hereafter taken by the Authority or by the trustees in which
375 such a member of the Authority holding such dual membership has participated or may
376 participate. Each member appointed other than from the appointive members of the trustees shall
377 continue in office for a term expiring on June thirtieth in the sixth calendar year next after the
378 calendar year in which the term of office of such member began, except that a person appointed
379 to fill a vacancy in any such membership shall serve only for the unexpired term. Each member
380 shall continue in office until the successor of such member shall have been appointed and
381 qualified, but the term of office of a member appointed other than from the appointive members
382 of the trustees shall be deemed to have commenced in the calendar year in which the stated term
383 of office of the predecessor of such member shall have expired. Any member of the Authority
384 may be removed by the governor for cause after notice and a public hearing unless such notice
385 and hearing are expressly waived in writing. The Authority shall annually elect from its members

386 a chair and a vice-chair, and shall also elect a secretary-treasurer and may elect an assistant
387 secretary-treasurer who need not be members of the Authority. Members who serve as ex officio
388 non-voting members shall have the right to be present at any meeting or matter relating to
389 official business of the Authority, including the right to receive all information, reports, studies,
390 and other relevant information which voting members are entitled to receive.

391 SECTION 10. Section 3 of said chapter 703, as most recently amended by section 122 of
392 said chapter 68 of the acts of 2011, is hereby amended by striking out the first and second
393 sentences and inserting in place thereof the following 2 sentences:-

394 The Authority is created for the general purposes of aiding and contributing to the
395 performance of the educational and other purposes of the state universities and community
396 colleges by providing academic and administrative facilities, campus infrastructure,
397 improvements related to energy efficiency and decarbonization, dormitories, dining commons
398 and other buildings, structures and facilities designed primarily for housing, feeding, medical
399 care, parking, athletics and cultural and extracurricular and other student life activities and
400 services primarily: (i) for the use of 1 or more state universities or community colleges, students,
401 staff and their dependents; (ii) for lease to or use by an organization or association, in any form,
402 of students or others the activities of which are a part of the activities at 1 or more state
403 universities or community colleges and subject to regulation by the trustees; or (iii) for lease to
404 or use by any other entity the activities of which are approved by the trustees as furthering the
405 purposes of 1 or more of the state universities or community colleges, any of the foregoing of
406 which may be located at such places as the trustees may designate and may be provided in
407 collaboration with, and for joint use by, other agencies, boards, commissions or departments and
408 authorities created by the laws of the commonwealth; provided, however, that the Authority shall

409 not provide housing facilities at community colleges unless the board of higher education
410 authorizes the action. The Authority shall not initiate any project except upon written request
411 made by authority of the trustees and upon written approval from the secretary of administration
412 and finance and the secretary of education; provided, further, that any project initiated by the
413 Authority shall be consistent with the campus master plan for the state university or community
414 college.

415 SECTION 11. (a) Annually, not later than December 31, the commissioner of capital
416 asset management and maintenance and the secretary of administration and finance, in
417 consultation with the president of the University of Massachusetts, the presidents of the state
418 universities, the presidents of the community colleges, the University of Massachusetts Building
419 Authority and the Massachusetts State College Building Authority, shall jointly submit a
420 comprehensive report on capital expenditures for public higher education to the clerks of the
421 house of representatives and the senate, the chairs of the house and senate committees on ways
422 and means and the chairs of the joint committee on higher education. The comprehensive report
423 shall include the executive summary set forth in subsection (b) synthesizing capital investments,
424 outcomes and system-wide trends across items 7066-8001, 7066-8004 and 7100-1001 and
425 detailed reporting for each appropriation as set forth in subsection (c).

426 (b) The executive summary shall include, but not be limited to, the following: (i) total
427 capital expenditures by institution type and project category; (ii) system-wide progress toward
428 decarbonization, deferred maintenance reduction and programmatic modernization, including
429 comparative cost and timeline analysis with key contextual factors; (iii) identification of cross-
430 institutional best practices and recommendations for improving capital project delivery
431 efficiency and coordination; and (iv) a system-wide forecast of capital needs and funding gaps.

432 (c) The detailed reporting shall include, but not be limited to, the following: (1) a list of
433 institutions and capital facility projects receiving funds; (2) the associated amounts committed
434 and expended for each project; (3) a categorization of each project by primary purpose,
435 including: decarbonization, programmatic improvements or deferred maintenance, such as
436 critical repairs to campus or building infrastructure; (4) a summary of how campus master plan
437 priorities informed the annual project selection process, including any deviations from stated
438 priorities and the rationale for such deviations; (5) an annual statement of cash inflows and
439 outflows detailing the sources and uses of funds from this item; (6) the cumulative amount of
440 funds committed versus expended; (7) a forecast of future expenditures based on committed
441 projects; (8) a detailed breakdown of costs charged to this item, including: design, architecture,
442 engineering and consultant services, division of capital asset management and maintenance
443 employee salary and salary-related expenses and other administrative costs; (9) a status report
444 tracking each project from initiation to completion, including project phase, anticipated
445 completion date and confirmation that maintenance and repair work has been entered into the
446 capital asset management information system; and (10) outcome metrics for completed projects,
447 including: (A) square footage constructed, renovated or demolished; (B) estimated annual
448 emissions reductions measured in metric tons of carbon dioxide equivalent; (C) the dollar value
449 of deferred maintenance addressed; and (D) for land or building acquisitions, the purpose and
450 strategic value of the acquisition relative to institutional master planning goals.

451 (d) The secretary of administration and finance and the commissioner of the division of
452 capital asset management and maintenance, in consultation with the president of the University
453 of Massachusetts, the presidents of the state universities, and the presidents of the community
454 colleges, shall, within 180 days of the effective date of this act, identify any deferred

455 maintenance projects at the University of Massachusetts, the state universities or the community
456 colleges, the estimated cost of which exceeds \$50,000,000. For each such project, the secretary
457 of administration and finance and the commissioner of the division of capital asset management
458 and maintenance shall submit a report on its proposed plan to repair, refurbish or otherwise
459 address the deferred maintenance project. The report shall be submitted to the clerks of the house
460 of representatives and the senate, the chairs of the house and senate committees on ways and
461 means and the chairs of the joint committee on higher education. Each report shall contain, but
462 not be limited to, the following: (i) a plan to undertake the project (ii) the total estimated cost of
463 the project; (iii) a detailed breakdown of costs, including expenditures for design, architectural,
464 engineering and consultant services; and (iv) a project timeline identifying major milestones
465 from initiation through completion. A report shall be submitted for each project meeting this
466 threshold and shall be updated annually until the project is completed.

467 SECTION 12. Section 255 of chapter 140 of the acts of 2024 is hereby repealed.

468 SECTION 13. Notwithstanding any general or special law to the contrary, to meet the
469 expenditures necessary in carrying out section 2, the state treasurer shall, upon request of the
470 governor, issue and sell bonds of the commonwealth in an amount to be specified by the
471 governor from time to time but not exceeding, in the aggregate, \$2,830,000,000. All bonds
472 issued by the commonwealth as aforesaid shall be designated on their face, Public Higher
473 Education Capital Expenditure Act of 2025, and shall be issued for a maximum term of years,
474 not exceeding 30 years, as the governor may recommend to the general court under section 3 of
475 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
476 June 30, 2070. All interest and payments on account of principal on these obligations shall be
477 payable from the Education and Transportation Fund. Bonds and interest on bonds issued under

478 this section shall, notwithstanding any other provision of this act, be special obligations of the
479 commonwealth. Such bonds shall not be included in the computation of outstanding bonds for
480 purposes of the limit imposed by the second paragraph of section 60A of chapter 29 of the
481 General Laws, nor shall debt service with respect to such bonds be included in the computation
482 of the limit imposed by section 60B of said chapter 29.

483 SECTION 14. Notwithstanding any general or special law to the contrary, to meet the
484 expenditures necessary in carrying out sections 2A and 2B, the state treasurer shall, upon request
485 of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the
486 governor from time to time but not exceeding, in the aggregate \$170,000,000. All bonds issued
487 by the commonwealth as aforesaid shall be designated on their face, Public Higher Education
488 Capital Expenditure Act of 2025, and shall be issued for a maximum term of years, not
489 exceeding 30 years, as the governor may recommend to the general court under section 3 of
490 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
491 June 30, 2070. All interest and payments on account of principal on these obligations shall be
492 payable from the Education and Transportation Fund. Bonds and interest on bonds issued under
493 this section shall, notwithstanding any other provision of this act, be special obligations of the
494 commonwealth. Such bonds shall not be included in the computation of outstanding bonds for
495 purposes of the limit imposed by the second paragraph of section 60A of chapter 29 of the
496 General Laws, nor shall debt service with respect to such bonds be included in the computation
497 of the limit imposed by section 60B of said chapter 29.

498 SECTION 15. Notwithstanding any general or special law to the contrary, not later than
499 120 days following the enactment of this act, the Massachusetts State College Building
500 Authority, in collaboration with the board of higher education, shall report to the house and

501 senate clerks' offices, the house and senate committees on ways and means and the joint
502 committee on higher education any anticipated additional funding necessary to carry out its
503 duties under this act and a proposal for avoiding any associated increases to student rents or fees
504 for use of facilities owned or financed by the Authority.