

# HOUSE . . . . . No. 4750

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, November 17, 2025.

The committee on House Ways and Means to whom was referred the Bill to build resilient infrastructure to generate higher-ed transformation (House, No.4693), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4750) [Bond Issue: Special Obligation Bonds: \$3,275,000,000.00].

For the committee,

AARON MICHEWITZ.

## 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 further, that costs payable from  
24    this item shall include, but not be limited to, the costs of design, architecture and engineering,  
25    and other services essential to these projects rendered by division of capital asset management  
26    and maintenance employees or by consultants; and provided further, that amounts expended for  
27    division employees may include the salary and salary-related expenses of these employees to the  
28    extent that they work on or in support of these projects.....\$1,250,000,000

29           7066-8002    For costs associated with plans and specifications, planning and studies,  
30    dispositions, acquisition of land and buildings and interests therein by purchase or by eminent  
31    domain under chapter 79, redevelopment, demolition, remediation, relocation and other capital  
32    projects to support the transition of campus facilities and real property for purposes of housing  
33    and mixed use development with the approval of the secretary of administration and finance, in

34 consultation with the secretaries of education and housing and livable communities; provided,  
35 that funds from this item may be granted to the Massachusetts state college building authority  
36 established in chapter 703 of the acts of 1963, as amended, for the purpose of supporting  
37 adaptive reuse of state university and community college campus facilities for housing and  
38 associated infrastructure with the approval of the secretary of administration and finance, in  
39 consultation with the secretaries of education and housing and livable  
40 communities.....\$100,000,000

41 7066-8003 For costs associated with developing decarbonization plans for  
42 Massachusetts public institutions of higher education and costs associated with decarbonization  
43 and energy efficiency projects, including but not limited to preparation of plans and  
44 specifications, electrification and replacement of fossil fuel-dependent campus and building  
45 infrastructure, renovation of building envelopes to reduce energy consumption, purchase and  
46 installation of energy efficiency or other capital equipment, and construction, reconstruction,  
47 renovation, demolition and other improvements and retrofits to facilities including those  
48 necessary for the installation and use of such equipment, and for decarbonization grants to public  
49 institutions of higher education; provided, that all projects approved for design and construction  
50 by the commissioner of the division of capital asset management and maintenance under this  
51 item shall be consistent with approved decarbonization plans developed by the division of capital  
52 asset management and maintenance.....\$80,000,000

53 7066-8004 For costs associated with: (i) laboratory modernization, furnishing,  
54 equipping and related safety, ventilation, other associated renovations, rehabilitation,  
55 construction and reconstruction to support laboratory modernization at public institutions of  
56 higher education; (ii) repair, renovation, furnishing, construction, reconstruction, remediation,

57 modernization and equipping of facilities at Massachusetts community colleges and vocational  
58 technical schools to support collaborations between Massachusetts community colleges and  
59 vocational technical schools; provided, that funds for this purpose shall not exceed \$10,000,000  
60 for any 1 collaboration; and (iii) repair, renovation, furnishing, construction, reconstruction,  
61 remediation, modernization and equipping of facilities to support student health, mental health,  
62 wellness, accessibility, equity, safety, community engagement and other student support needs at  
63 Massachusetts public higher education campuses; provided further, that not later than December  
64 31, 2025, the secretary of administration and finance and the secretary of education shall jointly  
65 submit an annual report to the clerks of the house of representatives and the senate, the chairs of  
66 the house and senate committees on ways and means and the chairs of the joint committee on  
67 higher education detailing: (a) the number of stackable credentials earned by students across  
68 collaborations between Massachusetts community colleges and vocational technical schools; (b)  
69 the percentage of vocational technical school students utilizing programs or facilities at partner  
70 Massachusetts community colleges; and (c) each project from initiation to completion, including  
71 project phase, cost and anticipated completion date.....\$120,000,000

72 7066-8005 For costs associated with developing campus master plans for  
73 Massachusetts public institutions of higher education .....\$30,000,000

74 7066-8006 For costs associated with the revitalization of the Huntington Tower  
75 Building at the Massachusetts College of Art and Design.....\$275,000,000

76 7100-1001 For costs associated with deferred maintenance, modernization,  
77 decarbonization and major capital projects, planning and studies, dispositions, acquisition of land  
78 and buildings and interests therein by purchase or by eminent domain under chapter 79, for the

79 preparation of plans and specifications, repairs, construction, renovations, improvements,  
80 maintenance and repair, asset management and demolition at the University of Massachusetts  
81 campus facilities and grounds; provided, that all projects approved for design and construction  
82 by the division of capital asset management and maintenance shall be consistent in priority and  
83 need with a campus master plan approved by the president of the University of Massachusetts  
84 and the board of trustees of the University of Massachusetts; provided further, that all  
85 maintenance and repair work funded by this item shall be included in the capital asset  
86 management information system administered by the division of capital asset management and  
87 maintenance; provided that costs payable from this item shall include, but not be limited to, the  
88 costs of design, architecture and engineering and other services essential to these projects  
89 rendered by division of capital asset management and maintenance employees or by consultants;  
90 and provided further, that amounts expended for division employees may include the salary and  
91 salary-related expenses of these employees to the extent that they work on or in support of these  
92 projects.....\$1,250,000,000

93 SECTION 2A.

94 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

95 *Office of the Secretary*

96 1100-2523 For a grant program to be administered by the executive office for  
97 administration and finance, in consultation with the executive office of education, to provide  
98 funding for repairs, construction, reconstruction, demolition, remediation, rehabilitation,  
99 modernization, disposition, renovations, improvements and maintenance, decarbonization and

100 climate resilience upgrades and other related capital projects at Massachusetts public higher  
101 education campuses.....\$50,000,000

102 SECTION 2B.

103 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

104 *Office of the Secretary*

105 1790-3019 For costs associated with technology capital projects and initiatives that  
106 facilitate or enhance remote and hybrid learning opportunities and student support at  
107 Massachusetts public higher education institutions, including but not limited to, the preparation  
108 of plans and specifications, purchase, procurement, acquisition, licensing and implementation of  
109 information technology, telecommunications and data-security-related equipment, hardware,  
110 software, systems, including but not limited to, enterprise resource planning systems and  
111 intellectual property and related projects approved by the secretary of technology services and  
112 security in consultation with the secretary of administration and finance.....\$20,000,000

113 EXECUTIVE OFFICE OF EDUCATION

114 *Office of the Secretary*

115 7009-2009 For a competitive grant program to be administered by the executive  
116 office of education, in consultation with the executive office of economic development and the  
117 executive office of labor and workforce development, to provide funding for the purchase and  
118 installation of equipment and related improvements and renovations to facilities necessary for the  
119 installation and use of such equipment and to establish, upgrade and expand career technical  
120 education and training programs that are aligned to regional economic and workforce

121 development priorities; provided, that grant applications may facilitate collaboration to provide  
122 students enrolled in high schools with vocational and technical programs with postsecondary  
123 opportunities consistent with those reported in clause (o) of the first paragraph of section 22 of  
124 chapter 15A of the General Laws and section 37A of chapter 74 of the General  
125 Laws.....\$100,000,000

126 SECTION 3. Section 5 of chapter 7C of the General Laws, as appearing in the 2024  
127 Official Edition, is hereby amended by inserting after the third sentence the following sentence:-  
128 Notwithstanding the foregoing, the commissioner may delegate control and supervision over  
129 projects involving structural or mechanical work with an estimated cost of less than \$10,000,000  
130 to the Massachusetts State College Building Authority if the commissioner determines that the  
131 Massachusetts State College Building Authority has the ability to control and supervise such  
132 project.

133 SECTION 4. Said chapter 7C is hereby further amended by inserting after section 34 the  
134 following section:-

135 Section 34A. (a) As used in this section the following words shall, unless the context  
136 clearly requires otherwise, have the following meanings:

137 “Public institution of higher education”, as defined in section 5 of chapter 15A.

138 (b)(1) Notwithstanding section 34, if the president of a public institution of higher  
139 education determines, with the approval of the commissioner of higher education, that real  
140 property of any such public institution of higher education is surplus to the current and  
141 foreseeable needs of the public institution of higher education, the commissioner may dispose of  
142 such property permanently or temporarily pursuant to this section; provided, however, that the

143 public institution of higher education's board of trustees may disapprove such determination  
144 within 60 days after the president's determination.

145 (2) Any disposition pursuant to paragraph 1 shall be subject to section 36.

146 (c) If the commissioner determines that a property is surplus to the current and  
147 foreseeable needs of a public institution of higher education, the commissioner shall provide  
148 written notice, for each city or town in which the property is located, to: (i) the city manager in  
149 the case of a city under Plan E form of government, the mayor and city council in the case of all  
150 other cities or the chair of the board of selectmen or the select board in the case of a town; (ii) the  
151 county commissioners, where applicable; (iii) the regional planning agency; and (iv) the  
152 members of the general court who represent the city or town where property is located. The  
153 commissioner shall set forth in each notice a description of the property and a declaration that the  
154 property is surplus to the current or foreseeable needs of the public institution of higher  
155 education.

156 (d)(1) If the commissioner determines that the property is surplus to the current and  
157 foreseeable needs of such institution and that the property should be disposed of, either  
158 temporarily or permanently, the commissioner shall declare that the property is available for  
159 disposition and shall determine appropriate reuse restrictions.

160 (2) The commissioner shall ensure that any rental agreement, or in the case of a  
161 conveyance a deed or separate disposition agreement as deemed appropriate by the  
162 commissioner, sets forth the reuse restrictions provided for in paragraph (1). Said agreements  
163 shall provide: (i) for effective remedies on behalf of the commonwealth, including, if deemed  
164 appropriate by the commissioner, that title to the property or such lesser interest as is the subject

165 of the disposition agreement shall revert to the commonwealth in the event of a violation of any  
166 such reuse restriction; and (ii) in the case of a disposition to a public agency for a direct public  
167 use, that the title to the property or such lesser interest as is the subject of the disposition  
168 agreement shall revert to the commonwealth in the event the property is no longer utilized for  
169 such direct public use.

170 (3)(A) In determining reuse restrictions, the commissioner shall comply with all  
171 restrictions pertaining to the property which may have been mandated by the general court and  
172 may adopt additional restrictions, taking account of established state and local plans and policies.

173 (B) The commissioner shall conduct a public hearing to consider reuse restrictions if the  
174 property exceeds 2 acres or if the gross square footage of all structures on the property is greater  
175 than or equal to 150,000 square feet or if the commissioner determines that a hearing should be  
176 held for a smaller parcel. Notice of the public hearing shall be: (i) placed at least once each week  
177 for 4 consecutive weeks preceding the hearing in newspapers with sufficient circulation to  
178 inform the people of the affected locality; (ii) posted on the department's website; and (iii)  
179 published in the central register pursuant to section 20A of chapter 9. The hearing shall be held  
180 in the locality in which the property is located not sooner than 30 days and not later than 35 days  
181 after notice thereof is published in the central register. After the hearing is conducted, the  
182 commissioner shall make a draft of any reuse restrictions available to the public and shall accept  
183 written comments for a period of 21 days. If after the hearing is conducted the commissioner  
184 determines that no reuse restrictions are necessary, the commissioner shall make that decision  
185 available to the public and accept written comments on that decision for a period of 21 days.

186 (e) The commissioner shall establish the value of the property, through procedures  
187 customarily accepted by the appraising profession as valid for determining property value, for  
188 both the highest and best use of the property as currently encumbered and under the reuse  
189 restrictions as determined pursuant to this section. The commissioner shall submit any appraisal  
190 to the inspector general for review and comment. The inspector general shall review and approve  
191 the appraisal and the review shall include an examination of the methodology utilized for the  
192 appraisal. The inspector general shall prepare and file a report with the commissioner. The  
193 commissioner shall submit copies of the appraisal and the inspector general's review and  
194 approval and comments, if any, to the house and senate committees on ways and means and the  
195 joint committee on state administration and regulatory oversight not less than 15 days prior to the  
196 execution of documents effecting a disposition.

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

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

204 (g) The proceeds realized from the disposition of real property pursuant to this section  
205 shall be deposited into the Higher Education Property Disposition Fund established pursuant to  
206 section 2MMMMMM of chapter 29.

207                   SECTION 5. Section 59 of said chapter 7C, as appearing in the 2024 Official Edition, is  
208 hereby amended by striking out, in lines 18 to 20, inclusive, the words “No provider of design  
209 services for any building project for which a state agency is the using agency shall be selected by  
210 the designer selection board or by the administering agency and” and inserting in place thereof  
211 the following words:- For any building project with an estimated construction cost greater than  
212 \$500,000.

213                   SECTION 6. Said chapter 7C is hereby further amended by adding the following  
214 section:-

215                   Section 74. (a) Annually, not later than December 31, the commissioner and the secretary  
216 of administration and finance, in consultation with the president of the University of  
217 Massachusetts, the presidents of the state universities, the presidents of the community colleges,  
218 the University of Massachusetts Building Authority and the Massachusetts State College  
219 Building Authority, shall jointly submit a comprehensive report on capital expenditures for  
220 public higher education to the clerks of the house of representatives and the senate, the chairs of  
221 the house and senate committees on ways and means and the chairs of the joint committee on  
222 higher education.

223                   (b)(1) The report shall include an executive summary synthesizing capital investments,  
224 outcomes and system-wide trends across items 7066-8001, 7066-8004 and 7100-1001.

225                   (2) The executive summary shall include, but shall not be limited to: (i) total capital  
226 expenditures by institution type and project category; (ii) system-wide progress toward  
227 decarbonization, deferred maintenance reduction and programmatic modernization, including  
228 comparative cost and timeline analysis with key contextual factors; (iii) identification of cross-

229 institutional best practices and recommendations for improving capital project delivery  
230 efficiency and coordination; and (iv) a system-wide forecast of capital needs and funding gaps.

231 (c) The report shall include, but shall not be limited to: (i) a list of public institutions of  
232 higher education and capital facility projects receiving funds; (ii) the associated amounts  
233 committed and expended for each project; (iii) a categorization of each project by primary  
234 purpose, including decarbonization, programmatic improvements or deferred maintenance, such  
235 as critical repairs to campus or building infrastructure; (iv) a summary of how campus master  
236 plan priorities informed the annual project selection process, including any deviations from  
237 stated priorities and the rationale for such deviations; (v) an annual statement of cash inflows and  
238 outflows detailing the sources and uses of funds; (vi) the cumulative amount of funds committed  
239 versus expended; (vii) a forecast of future expenditures based on committed projects; (viii) a  
240 detailed breakdown of costs charged including design, architecture, engineering and consultant  
241 services, division of capital asset management and maintenance employee salary and salary-  
242 related expenses and other administrative costs; (ix) a status report tracking each project from  
243 initiation to completion, including project phase, anticipated completion date and confirmation  
244 that maintenance and repair work has been entered into the capital asset management  
245 information system; and (x) outcome metrics for completed projects, including, but not limited  
246 to: (A) square footage constructed, renovated or demolished; (B) estimated annual emissions  
247 reductions measured in metric tons of carbon dioxide equivalent; (C) the dollar value of deferred  
248 maintenance addressed; and (D) for land or building acquisitions, the purpose and strategic value  
249 of the acquisition relative to institutional master planning goals.

250 SECTION 7. Chapter 15A of the General Laws is hereby amended by inserting after  
251 section 5B the following section:-

252                   Section 5C. (a) Notwithstanding section 5, private nonprofit intuitions of higher  
253 education in the commonwealth with a federal minority serving institution designation and  
254 Quincy College, a municipal college and department within the city of Quincy, shall be part of  
255 the community college segment established in section 5 for purposes of programs offered by the  
256 department, including, but not limited to, the supporting urgent community college equity  
257 through student success program and the community college program offered pursuant to section  
258 5B.

259                   (b) The department may promulgate regulations for implementation of this section.

260                   SECTION 8. Subsection (a) of section 2BBBBBB of chapter 29 of the General Laws, as  
261 amended by section 18 of chapter 9 of the acts of 2025, is hereby further amended by inserting  
262 before the definition of “Dedicated transportation income surtax revenue amount” the following  
263 definition:-

264                   “Dedicated higher education income surtax revenue amount”, the amount of  
265 \$100,000,000 for each fiscal year.

266                   SECTION 9. Said section 2BBBBBB of said chapter 29, as so amended, is hereby further  
267 amended by striking out subsections (f) and (g) and inserting in place thereof the following 4  
268 subsections:-

269                   (f)(1) When authorized by a vote taken by the yeas and nays of two-thirds of each house  
270 of the general court present and voting on such authorization, including any authorization in  
271 effect as of July 1, 2025, the state treasurer, upon the request of the governor, may issue bonds of  
272 the commonwealth as hereinafter provided. Any such bonds shall be special obligations of the  
273 commonwealth payable solely from monies credited to the Education and Transportation Fund;

274 provided, however, that notwithstanding any general or special law to the contrary, including,  
275 but not limited to, section 60A, such bonds shall not be general obligations of the  
276 commonwealth; and provided further, that debt service on said bonds shall not be greater than  
277 the dedicated higher education income surtax revenue amount.

278 (2) Bonds may be issued pursuant to paragraph (1) in such manner and on such terms and  
279 conditions as the state treasurer may determine in accordance with this paragraph and, to the  
280 extent not inconsistent with this paragraph, the General Laws for the issuance of bonds of the  
281 commonwealth. Bonds may be secured by a trust agreement entered into by the state treasurer,  
282 with the concurrence of the secretary of administration and finance, on behalf of the  
283 commonwealth, which trust agreement may pledge or assign all or any part of monies credited to  
284 the Education and Transportation Fund and accounts within the Fund and rights to receive the  
285 same, whether existing or coming into existence and whether held or thereafter acquired, and the  
286 proceeds thereof. The state treasurer may, with the concurrence of the secretary of administration  
287 and finance, enter into additional security, insurance or other forms of credit enhancement which  
288 may be secured on a parity or subordinate basis with the bonds. A pledge in any such trust  
289 agreement or credit enhancement agreement shall be valid and binding from the time such pledge  
290 shall be made without any physical delivery or further act, and the lien of such pledge shall be  
291 valid and binding against all parties having claims of any kind in tort, contract or otherwise,  
292 whether such parties have notice thereof or not. Any such pledge shall be perfected by filing of  
293 the trust agreement or credit enhancement agreement in the records of the state treasurer and no  
294 filing need be made under chapter 106. Any such trust agreement or credit enhancement  
295 agreement may establish provisions defining defaults and establishing remedies and other  
296 matters relating to the rights and security of the holders of the bonds or other secured parties as

297     determined by the state treasurer, including provisions relating to the establishment of reserves,  
298     the issuance of additional or refunding bonds, whether or not secured on a parity basis, the  
299     application of receipts, monies or funds pledged pursuant to such agreement, the regulation of  
300     the custody, investment and application of monies and such other matters deemed necessary or  
301     desirable by the state treasurer for the security of such bonds. Any such bonds shall be deemed to  
302     be investment securities under chapter 106, securities in which any public officer, fiduciary,  
303     insurance company, financial institution or investment company may properly invest funds and  
304     securities which may be deposited with any public custodian for any purpose for which the  
305     deposit of bonds is authorized by law. Any such bonds, the transfer of such bonds and the  
306     income from such bonds, including profit on the sale of such bonds, shall at all times be exempt  
307     from taxation by and within the commonwealth.

308                 (3) The provisions of this section relating to bonds shall also be applicable to the issuance  
309     of notes insofar as such provisions may be appropriate for such notes.

310                 (4) In order to increase the marketability of any such bonds or notes issued by the  
311     commonwealth pursuant to this section and in consideration of the acceptance of payment for  
312     any such bonds or notes, the commonwealth covenants with the purchasers and all subsequent  
313     holders and transferees of any such bonds or notes that while any such bond or note shall remain  
314     outstanding, and so long as the principal of or interest on any such bond or note shall remain  
315     unpaid: (i) no pledged funds shall be diverted from the Education and Transportation Fund or  
316     from any account within the Fund; (ii) in any fiscal year of the commonwealth and until an  
317     appropriation has been made which is sufficient to pay the principal, including sinking fund  
318     payments, of and interest on all such bonds and notes of the commonwealth and to provide for or  
319     maintain any reserves, additional security, insurance or other forms of credit enhancement

320 required or provided for in any trust agreement securing any such bonds or notes, no pledged  
321 funds shall be applied to any other use; and (iii) so long as such revenues are necessary, as  
322 determined by the state treasurer in accordance with any applicable trust agreement or credit  
323 enhancement agreement, for the purposes for which they have been pledged, and  
324 notwithstanding any general or special law to the contrary, the rates of the excise imposed in  
325 subsection (d) of said section 4 of chapter 62 shall not be reduced below the amount in effect at  
326 the time of issuance of any such bond or note.

327 (g) The annual spending threshold shall be equal to the prior year spending threshold, less  
328 the dedicated transportation income surtax revenue amount and the dedicated higher education  
329 income surtax revenue amount, plus an adjustment factor equal to the 10-year rolling rate of  
330 growth of income subject to the tax specified in subsection (d) of section 4 of chapter 62 as  
331 certified by the commissioner of revenue. For years in which the tax specified in said subsection  
332 (d) of said section 4 of said chapter 62 was not in effect, the commissioner shall calculate the  
333 amount of income that would have been subject to the taxes, adjusted for increases in the cost of  
334 living in the same manner as described in Article XLIV of the Amendments to the Constitution  
335 of the Commonwealth and set forth pursuant to said subsection (d) of said section 4 of said  
336 chapter 62. Debt obligations secured by a trust established under subsection (f) shall not be  
337 subject to the annual spending threshold.

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

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

347 SECTION 10. Said chapter 29 is hereby further amended by striking out section  
348 2DDDDDD, as appearing in the 2024 Official Edition, and inserting in place thereof the  
349 following section:-

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

357 (b) Amounts credited to the account may be expended, subject to appropriation, on 1-  
358 time investments, including, but not limited to, pay-go capital or other 1-time projects, related to  
359 quality public education and affordable public colleges and universities and for the repair and  
360 maintenance of roads, bridges, public transit and rail equipment and facilities, culverts, bicycle  
361 and pedestrian infrastructure such as paths, trails, sideways, walkways and other public ways and  
362 similar public transportation infrastructure. Amounts credited to the account shall be made  
363 available for expenditure upon their certification pursuant to section 5I. The account shall not be

364 subject to section 5C. Amounts in the account shall be available to pay any debt obligations  
365 secured by a trust established under section 2BBBBBB.

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

367 SECTION 11. Said chapter 29 is hereby further amended by inserting after section  
368 2LLLLLL, inserted by section 18 of chapter 14 of the acts of 2025, the following section:-

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

376 (b) Amounts credited to the fund may be expended, without further appropriation, for  
377 capital facility projects at public institutions of higher education, as set forth in section 5 of  
378 chapter 15A, that address: (i) decarbonization; (ii) deferred maintenance; and (iii) critical repairs  
379 to campus or building infrastructure, including, but not limited to, accessibility. Funds may also  
380 be expended for capital facility projects that involve programmatic improvements funded  
381 through other sources; provided, that the funds shall be used for the purposes described in this  
382 subsection. The unexpended balance in the fund at the end of a fiscal year shall remain available  
383 for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the  
384 fund to be in deficit at any point.

385 (c) Annually, not later than December 31, the commissioner of the division of capital  
386 asset management and maintenance shall submit a report to the clerks of the house of  
387 representatives and the senate, the chairs of the house and senate committees on ways and means  
388 and the chairs of the joint committee on higher education. The annual report shall include, but  
389 shall not be limited to: (i) a list of the public institutions of higher education, as set forth in  
390 section 5 of chapter 15A, and the capital facility projects receiving funds; (ii) the associated  
391 amounts committed and expended for each project; (iii) a categorization of each project by  
392 primary purpose, including decarbonization, deferred maintenance, critical repairs to campus or  
393 building infrastructure or programmatic improvements; (iv) a status report tracking each project  
394 from initiation to completion, including project phase and anticipated completion date; and (v)  
395 outcome metrics for completed projects, including, but not limited to: (A) square footage  
396 renovated; (B) estimated annual emissions reductions measured in metric tons of carbon dioxide  
397 equivalent; (C) the dollar value of deferred maintenance addressed; and (D) the number and type  
398 of accessibility barriers removed.

399 SECTION 12. Section 1 of chapter 703 of the acts of 1963, as most recently amended by  
400 section 121 of chapter 68 of the acts of 2011, is hereby further amended by striking out  
401 paragraph (e) and inserting in place thereof the following paragraph:-

402 (e) "Project", the construction of new buildings or structures and the acquisition, addition  
403 to, alteration, enlargement, reconstruction, rehabilitation, remodeling and other work, including,  
404 but not limited to, the alteration or modification, of existing facilities or the construction of  
405 additional or new facilities required or authorized by changes in or enactments of new law or  
406 regulation or changes in or new circumstances such as, provision for access or use by persons  
407 with a disability, provision for conservation of energy, provision for safety and security of

408 persons and property, provision for other compliance with changed or new law, regulation or  
409 circumstance, in or upon or respecting existing buildings or structures, the provision and  
410 installation therein or in respect thereof of furnishings, furniture, machinery, equipment,  
411 facilities, approaches, driveways, walkways, parking areas, planting and landscaping, the  
412 acquisition of land, other property, rights, easements and interests acquired for or in respect to  
413 any thereof, the demolition or removal of any buildings or structures, including buildings or  
414 structures owned by the commonwealth, on land so acquired or interests in which are so acquired  
415 and site preparation, with respect to which the Authority shall provide by resolution for the  
416 issuance of a series of bonds or notes; provided, however, that the term project shall also include  
417 the control and supervision of a building project delegated to the Authority by the commissioner  
418 of capital asset management and maintenance pursuant to section 5 of chapter 7C of the General  
419 Laws. Whenever appropriate the word shall also mean such land, buildings or structures and  
420 such appurtenances.

421 SECTION 13. Section 2 of said chapter 703, as most recently amended by section 6 of  
422 chapter 258 of the acts of 2008, is hereby further amended by striking out the second paragraph  
423 and inserting in place thereof the following paragraph:-

424 The Authority shall consist of the following 11 members: 9 members appointed by the  
425 governor, of whom 3 members shall be appointive members of the trustees and shall be  
426 graduates of a state college or university; 1 member, who shall serve as a non-voting member,  
427 appointed by the council of presidents of the Massachusetts state university system who shall be  
428 a president of a Massachusetts state university or a designee; and 1 member, who shall serve as a  
429 non-voting member, appointed by the Massachusetts association of community colleges who  
430 shall be a president of a Massachusetts community college or a designee. The members

431 appointed from the appointive members of the trustees shall continue in office so long as they  
432 continue in office as trustees, and such dual membership shall not invalidate any action  
433 heretofore or hereafter taken by the Authority or by the trustees in which such a member of the  
434 Authority holding such dual membership has participated or may participate. Each member  
435 appointed other than from the appointive members of the trustees shall continue in office for a  
436 term expiring on June thirtieth in the sixth calendar year next after the calendar year in which the  
437 term of office of such member began, except that a person appointed to fill a vacancy in any such  
438 membership shall serve only for the unexpired term. Each member shall continue in office until  
439 the successor of such member shall have been appointed and qualified, but the term of office of a  
440 member appointed other than from the appointive members of the trustees shall be deemed to  
441 have commenced in the calendar year in which the stated term of office of the predecessor of  
442 such member shall have expired. Any member of the Authority may be removed by the governor  
443 for cause after notice and a public hearing unless such notice and hearing are expressly waived in  
444 writing. The Authority shall annually elect from its members a chair and a vice-chair. The  
445 Authority shall elect a secretary-treasurer and may elect an assistant secretary-treasurer who need  
446 not be members of the Authority. Members who serve as non-voting members shall have the  
447 right to be present at any meeting or matter relating to official business of the Authority and the  
448 right to receive all information, reports, studies and other relevant information that voting  
449 members are entitled to receive.

450 SECTION 14. Section 3 of said chapter 703, as most recently amended by section 122 of  
451 chapter 68 of the acts of 2011, is hereby further amended by striking out the first and second  
452 sentences and inserting in place thereof the following 2 sentences:-

453                   The Authority is created for the general purposes of aiding and contributing to the  
454                   performance of the educational and other purposes of the state universities and community  
455                   colleges by providing academic and administrative facilities, campus infrastructure,  
456                   improvements related to energy efficiency and decarbonization, dormitories, dining commons  
457                   and other buildings, structures and facilities designed primarily for housing, feeding, medical  
458                   care, parking, athletics and cultural and extracurricular and other student life activities and  
459                   services primarily: (i) for the use of 1 or more state universities or community colleges, students,  
460                   staff and their dependents; (ii) for lease to or use by an organization or association, in any form,  
461                   of students or others the activities of which are a part of the activities at 1 or more state  
462                   universities or community colleges and subject to regulation by the trustees; or (iii) for lease to  
463                   or use by any other entity the activities of which are approved by the trustees as furthering the  
464                   purposes of 1 or more of the state universities or community colleges, any of the foregoing of  
465                   which may be located at such places as the trustees may designate and may be provided in  
466                   collaboration with, and for joint use by, other agencies, boards, commissions or departments and  
467                   authorities created by the laws of the commonwealth; provided, however, that the Authority shall  
468                   not provide housing facilities at community colleges unless the board of higher education  
469                   authorizes the action. The Authority shall not initiate any project except upon written request  
470                   made by authority of the trustees and upon written approval from the secretary of administration  
471                   and finance and the secretary of education. Any project initiated by the Authority shall be  
472                   consistent with the campus master plan for the state university or community college.

473                   SECTION 15. (a) Not later than 90 days after the effective date of this act, the secretary  
474                   of administration and finance and the commissioner of the division of capital asset management  
475                   and maintenance, in consultation with the president of the University of Massachusetts, the

476 presidents of the state universities and the presidents of the community colleges, shall submit a  
477 report to the clerks of the house of representatives and the senate, the chairs of the house and  
478 senate committees on ways and means and the chairs of the joint committee on higher education  
479 for each public institution of higher education identifying any deferred maintenance projects at  
480 the University of Massachusetts, the state universities or the community colleges, the estimated  
481 cost of which exceeds \$50,000,000. The report shall include a roadmap on how to address  
482 necessary projects and timelines for repairs over the next 5 years.

483 (b) For each such project, the secretary of administration and finance and the  
484 commissioner of the division of capital asset management and maintenance shall submit in its  
485 report the proposed plan to repair, refurbish or otherwise address the deferred maintenance  
486 project. The report shall contain for each project the following: (i) a plan to undertake the  
487 project; (ii) the total estimated cost of the project; (iii) a detailed breakdown of costs, including  
488 expenditures for design, architectural, engineering and consultant services; and (iv) a project  
489 timeline identifying major milestones from initiation through completion.

490 SECTION 16. Notwithstanding any general or special law to the contrary, to meet the  
491 expenditures necessary in carrying out section 2, the state treasurer shall, upon request of the  
492 governor, issue and sell bonds of the commonwealth in an amount to be specified by the  
493 governor from time to time but not exceeding, in the aggregate, \$3,105,000,000. All bonds  
494 issued by the commonwealth as aforesaid shall be designated on their face, Public Higher  
495 Education Capital Expenditure Act of 2025, and shall be issued for a maximum term of years,  
496 not exceeding 30 years, as the governor may recommend to the general court under section 3 of  
497 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than  
498 June 30, 2070. All interest and payments on account of principal on these obligations shall be

499 payable from the Education and Transportation Fund. Bonds and interest on bonds issued under  
500 this section shall, notwithstanding any other provision of this act, be special obligations of the  
501 commonwealth. Such bonds shall not be included in the computation of outstanding bonds for  
502 purposes of the limit imposed by the second paragraph of section 60A of chapter 29 of the  
503 General Laws, nor shall debt service with respect to such bonds be included in the computation  
504 of the limit imposed by section 60B of said chapter 29.

505 SECTION 17. Notwithstanding any general or special law to the contrary, to meet the  
506 expenditures necessary in carrying out sections 2A and 2B, the state treasurer shall, upon request  
507 of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the  
508 governor from time to time but not exceeding, in the aggregate \$170,000,000. All bonds issued  
509 by the commonwealth as aforesaid shall be designated on their face, Public Higher Education  
510 Capital Expenditure Act of 2025, and shall be issued for a maximum term of years, not  
511 exceeding 30 years, as the governor may recommend to the general court under section 3 of  
512 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than  
513 June 30, 2070. All interest and payments on account of principal on these obligations shall be  
514 payable from the Education and Transportation Fund. Bonds and interest on bonds issued under  
515 this section shall, notwithstanding any other provision of this act, be special obligations of the  
516 commonwealth. Such bonds shall not be included in the computation of outstanding bonds for  
517 purposes of the limit imposed by the second paragraph of section 60A of chapter 29 of the  
518 General Laws, nor shall debt service with respect to such bonds be included in the computation  
519 of the limit imposed by section 60B of said chapter 29.

520 SECTION 18. Not later than March 1, 2027, the commissioner of capital asset  
521 management and maintenance shall submit the first report required pursuant to section 74 of  
522 chapter 7C of the General Laws, inserted by section 6.