

HOUSE No. 4769

House bill No. 4750, as amended and as adopted by the House. November 18, 2025.

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*

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

7066-8002 For costs associated with plans and specifications, planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase or by eminent domain under chapter 79, redevelopment, demolition, remediation, relocation and other capital projects to support the transition of campus facilities and real property for purposes of housing 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 7066-8007 For higher education capital projects; provided, that not less than
77 \$5,000,000 shall be expended for Greenfield Community College; provided further, that not less
78 than \$2,000,000 shall be expended for Northern Essex Community College facilities for high

79 school career and technical education, including construction, renovation, modernization,
80 equipment acquisition, and instructional technology to expand regional vocational pathways;
81 provided further, that not less than \$2,000,000 shall be expended for the renovation of
82 Tillinghast hall at Bridgewater State University; provided further, that not less than \$350,000
83 shall be expended for the University of Massachusetts Boston to support the renaming of the
84 center for African, Caribbean and community development as the Senator Bill Owens center,
85 including installation of markers and commemorative programming; provided further, that not
86 less than \$10,000,000 shall be expended for the renovation of the Sullivan building at Salem
87 State University; provided further, that not less than \$20,000,000 shall be expended for
88 Middlesex Community College for the expansion, modernization and development of the life
89 sciences center on the Bedford campus; provided further, that not less than \$10,000,000 shall be
90 expended for Framingham State University to renovate, maintain and modernize the Henry
91 Whittemore library; provided further, that not less than \$5,000,000 shall be expended to
92 Springfield Technical Community College; provided further, that not less than \$500,000 shall be
93 expended for the UMass cranberry station to undertake modernization and deferred maintenance
94 projects at cranberry bogs that they utilize; provided further, that not less than \$10,000,000 shall
95 be expended to the Dudley house at Roxbury Community College; provided further, that not less
96 than \$20,000,000 shall be expended for Bunker Hill Community College to renovate their
97 chemistry, biology and engineering classrooms and prep rooms; provided further, that not less
98 than \$100,000,000 shall be expended for the construction of the Westfield State University
99 human health hub; provided further, that not less than \$200,000 shall be expended for
100 renovations and upgrades to 6 classrooms at Bay Path University; provided further, that not less
101 than \$50,000,000 shall be expended for upgrading UMass Boston learning spaces infrastructure

102 and technology; provided further, that not less than \$5,000,000 shall be expended for renovation
103 of the McKay complex at Fitchburg State University; provided further, that not less than
104 \$5,000,000 shall be expended for Conlon hall at Fitchburg State University; provided further,
105 that not less than \$200,000 shall be expended to Bay Path University in support of the expansion
106 of their nursing program, which will address the critical shortage experienced in Massachusetts
107 by funding the purchase of key equipment; provided further, that not less than \$20,000,000 shall
108 be expended for the renovation and expansion of the student center at Worcester State
109 University; provided further, that not less than \$3,000,000 shall be expended for Carey building
110 window replacement at Massachusetts Bay Community College; provided further, that not less
111 than \$2,200,000 shall be expended for HVAC System Replacement at Massachusetts bay
112 Community College; provided further, that not less than \$25,000,000 shall be expended for the
113 Lowell innovation network corridor project at the University of Massachusetts at Lowell;
114 provided further, that not less than \$400,000 shall be expended for outdoor court upgrades
115 located at Bristol Community College's Fall River campus; provided further, that not less than
116 \$20,000,000 shall be expended to renovate and expand the Massachusetts maritime academy
117 student wellness, recreation and workforce development center; provided further, that not less
118 than \$22,500,000 shall be expended to support drainage, resurfacing, and soil mitigation efforts
119 at Quinsigamond Community College; provided further, that not less than \$5,000,000 be
120 expended for the renovation of the Haley first floor student success center at Mount Wachusett
121 Community College; provided further, that not less than \$5,000,000 shall be expended for a
122 fitness center at Mount Wachusett Community College; provided further, that not less than
123 \$2,000,000 shall be expended for renovations to the Peter Asiaf field house at Mount Wachusett
124 Community College; provided further, that not less than \$100,000 shall be expended for the

125 University of Massachusetts Amherst to expand classroom space at the Henry M. Thomas III
126 center in Springfield; and provided further, that not less than \$20,000,000 shall be expended for
127 Northern Essex Community College facilities for high school career and technical
128 education.....\$370,450,000

129 7100-1001 For costs associated with deferred maintenance, modernization,
130 decarbonization and major capital projects, planning and studies, dispositions, acquisition of land
131 and buildings and interests therein by purchase or by eminent domain under chapter 79, for the
132 preparation of plans and specifications, repairs, construction, renovations, improvements,
133 maintenance and repair, asset management and demolition at the University of Massachusetts
134 campus facilities and grounds; provided, that all projects approved for design and construction
135 by the division of capital asset management and maintenance shall be consistent in priority and
136 need with a campus master plan approved by the president of the University of Massachusetts
137 and the board of trustees of the University of Massachusetts; provided further, that all
138 maintenance and repair work funded by this item shall be included in the capital asset
139 management information system administered by the division of capital asset management and
140 maintenance; provided that costs payable from this item shall include, but not be limited to, the
141 costs of design, architecture and engineering and other services essential to these projects
142 rendered by division of capital asset management and maintenance employees or by consultants;
143 and provided further, that amounts expended for division employees may include the salary and
144 salary-related expenses of these employees to the extent that they work on or in support of these
145 projects.....\$1,250,000,000

146 SECTION 2A.

147 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

148 *Office of the Secretary*

149 1100-2523 For a grant program to be administered by the executive office for
150 administration and finance, in consultation with the executive office of education, to provide
151 funding for repairs, construction, reconstruction, demolition, remediation, rehabilitation,
152 modernization, disposition, renovations, improvements and maintenance, decarbonization and
153 climate resilience upgrades and other related capital projects at Massachusetts public higher
154 education campuses.....\$50,000,000

155 SECTION 2B.

156 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

157 *Office of the Secretary*

158 1790-3019 For costs associated with technology capital projects and initiatives that
159 facilitate or enhance remote and hybrid learning opportunities and student support at
160 Massachusetts public higher education institutions, including but not limited to, the preparation
161 of plans and specifications, purchase, procurement, acquisition, licensing and implementation of
162 information technology, telecommunications and data-security-related equipment, hardware,
163 software, systems, including but not limited to, enterprise resource planning systems and
164 intellectual property and related projects approved by the secretary of technology services and
165 security in consultation with the secretary of administration and finance.....\$20,000,000

166 EXECUTIVE OFFICE OF EDUCATION

167 *Office of the Secretary*

168 7009-2009 For a competitive grant program to be administered by the executive
169 office of education, in consultation with the executive office of economic development and the
170 executive office of labor and workforce development, to provide funding for the purchase and
171 installation of equipment and related improvements and renovations to facilities necessary for the
172 installation and use of such equipment and to establish, upgrade and expand career technical
173 education and training programs that are aligned to regional economic and workforce
174 development priorities; provided, that grant applications may facilitate collaboration to provide
175 students enrolled in high schools with vocational and technical programs with postsecondary
176 opportunities consistent with those reported in clause (o) of the first paragraph of section 22 of
177 chapter 15A of the General Laws and section 37A of chapter 74 of the General
178 Laws.....\$100,000,000

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

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

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

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

(b)(1) Notwithstanding section 34, if the president of a public institution of higher education determines, with the approval of the commissioner of higher education, that real property of any such public institution of higher education is surplus to the current and foreseeable needs of the public institution of higher education, the commissioner may dispose of such property permanently or temporarily pursuant to this section; provided, however, that the public institution of higher education’s board of trustees may disapprove such determination within 60 days after the president’s determination.

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

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

(d)(1) If the commissioner determines that the property is surplus to the current and foreseeable needs of such institution and that the property should be disposed of, either

temporarily or permanently, the commissioner shall declare that the property is available for disposition and shall determine appropriate reuse restrictions.

(2) The commissioner shall ensure that any rental agreement, or in the case of a conveyance a deed or separate disposition agreement as deemed appropriate by the commissioner, sets forth the reuse restrictions provided for in paragraph (1). Said agreements shall provide: (i) for effective remedies on behalf of the commonwealth, including, if deemed appropriate by the commissioner, that title to the property or such lesser interest as is the subject of the disposition agreement shall revert to the commonwealth in the event of a violation of any such reuse restriction; and (ii) in the case of a disposition to a public agency for a direct public use, that the title to the property or such lesser interest as is the subject of the disposition agreement shall revert to the commonwealth in the event the property is no longer utilized for such direct public use.

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

(B) The commissioner shall conduct a public hearing to consider reuse restrictions if the property exceeds 2 acres or if the gross square footage of all structures on the property is greater than or equal to 150,000 square feet or if the commissioner determines that a hearing should be held for a smaller parcel. Notice of the public hearing shall be: (i) placed at least once each week for 4 consecutive weeks preceding the hearing in newspapers with sufficient circulation to inform the people of the affected locality; (ii) posted on the department's website; and (iii) published in the central register pursuant to section 20A of chapter 9. The hearing shall be held

in the locality in which the property is located not sooner than 30 days and not later than 35 days after notice thereof is published in the central register. After the hearing is conducted, the commissioner shall make a draft of any reuse restrictions available to the public and shall accept written comments for a period of 21 days. If after the hearing is conducted the commissioner determines that no reuse restrictions are necessary, the commissioner shall make that decision available to the public and accept written comments on that decision for a period of 21 days.

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

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

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

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

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

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

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

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

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

(c) The report shall include, but shall not be limited to: (i) a list of public institutions of higher education and capital facility projects receiving funds; (ii) the associated amounts committed and expended for each project; (iii) a categorization of each project by primary purpose, including decarbonization, programmatic improvements or deferred maintenance, such as critical repairs to campus or building infrastructure; (iv) a summary of how campus master plan priorities informed the annual project selection process, including any deviations from stated priorities and the rationale for such deviations; (v) an annual statement of cash inflows and outflows detailing the sources and uses of funds; (vi) the cumulative amount of funds committed versus expended; (vii) a forecast of future expenditures based on committed projects; (viii) a detailed breakdown of costs charged including design, architecture, engineering and consultant services, division of capital asset management and maintenance employee salary and salary-related expenses and other administrative costs; (ix) a status report tracking each project from initiation to completion, including project phase, anticipated completion date and confirmation that maintenance and repair work has been entered into the capital asset management information system; and (x) outcome metrics for completed projects, including, but not limited

to: (A) square footage constructed, renovated or demolished; (B) estimated annual emissions reductions measured in metric tons of carbon dioxide equivalent; (C) the dollar value of deferred maintenance addressed; and (D) for land or building acquisitions, the purpose and strategic value of the acquisition relative to institutional master planning goals.

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

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

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

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

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

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

(f)(1) When authorized by a vote taken by the yeas and nays of two-thirds of each house of the general court present and voting on such authorization, including any authorization in effect as of July 1, 2025, the state treasurer, upon the request of the governor, may issue bonds of the commonwealth as hereinafter provided. Any such bonds shall be special obligations of the commonwealth payable solely from monies credited to the Education and Transportation Fund; provided, however, that notwithstanding any general or special law to the contrary, including, but not limited to, section 60A, such bonds shall not be general obligations of the commonwealth; and provided further, that debt service on said bonds shall not be greater than the dedicated higher education income surtax revenue amount.

(2) Bonds may be issued pursuant to paragraph (1) in such manner and on such terms and conditions as the state treasurer may determine in accordance with this paragraph and, to the extent not inconsistent with this paragraph, the General Laws for the issuance of bonds of the commonwealth. Bonds may be secured by a trust agreement entered into by the state treasurer, with the concurrence of the secretary of administration and finance, on behalf of the commonwealth, which trust agreement may pledge or assign all or any part of monies credited to the Education and Transportation Fund and accounts within the Fund and rights to receive the same, whether existing or coming into existence and whether held or thereafter acquired, and the proceeds thereof. The state treasurer may, with the concurrence of the secretary of administration and finance, enter into additional security, insurance or other forms of credit enhancement which may be secured on a parity or subordinate basis with the bonds. A pledge in any such trust

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

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

(4) In order to increase the marketability of any such bonds or notes issued by the commonwealth pursuant to this section and in consideration of the acceptance of payment for

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

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

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

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

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

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

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

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

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

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

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

(b) Amounts credited to the fund may be expended, without further appropriation, for capital facility projects at public institutions of higher education, as set forth in section 5 of chapter 15A, that address: (i) decarbonization; (ii) deferred maintenance; and (iii) critical repairs

to campus or building infrastructure, including, but not limited to, accessibility. Funds may also be expended for capital facility projects that involve programmatic improvements funded through other sources; provided, that the funds shall be used for the purposes described in this subsection. The unexpended balance in the fund at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to be in deficit at any point.

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

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

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

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

The Authority shall consist of the following 11 members: 9 members appointed by the governor, of whom 3 members shall be appointive members of the trustees and shall be graduates of a state college or university; 1 member, who shall serve as a non-voting member, appointed by the council of presidents of the Massachusetts state university system who shall be a president of a Massachusetts state university or a designee; and 1 member, who shall serve as a non-voting member, appointed by the Massachusetts association of community colleges who shall be a president of a Massachusetts community college or a designee. The members appointed from the appointive members of the trustees shall continue in office so long as they continue in office as trustees, and such dual membership shall not invalidate any action heretofore or hereafter taken by the Authority or by the trustees in which such a member of the Authority holding such dual membership has participated or may participate. Each member appointed other than from the appointive members of the trustees shall continue in office for a term expiring on June thirtieth in the sixth calendar year next after the calendar year in which the term of office of such member began, except that a person appointed to fill a vacancy in any such membership shall serve only for the unexpired term. Each member shall continue in office until the successor of such member shall have been appointed and qualified, but the term of office of a member appointed other than from the appointive members of the trustees shall be deemed to have commenced in the calendar year in which the stated term of office of the predecessor of such member shall have expired. Any member of the Authority may be removed by the governor for cause after notice and a public hearing unless such notice and hearing are expressly waived in writing. The Authority shall annually elect from its members a chair and a vice-chair. The Authority shall elect a secretary-treasurer and may elect an assistant secretary-treasurer who need not be members of the Authority. Members who serve as non-voting members shall have the

right to be present at any meeting or matter relating to official business of the Authority and the right to receive all information, reports, studies and other relevant information that voting members are entitled to receive.

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

The Authority is created for the general purposes of aiding and contributing to the performance of the educational and other purposes of the state universities and community colleges by providing academic and administrative facilities, campus infrastructure, improvements related to energy efficiency and decarbonization, dormitories, dining commons and other buildings, structures and facilities designed primarily for housing, feeding, medical care, parking, athletics and cultural and extracurricular and other student life activities and services primarily: (i) for the use of 1 or more state universities or community colleges, students, staff and their dependents; (ii) for lease to or use by an organization or association, in any form, of students or others the activities of which are a part of the activities at 1 or more state universities or community colleges and subject to regulation by the trustees; or (iii) for lease to or use by any other entity the activities of which are approved by the trustees as furthering the purposes of 1 or more of the state universities or community colleges, any of the foregoing of which may be located at such places as the trustees may designate and may be provided in collaboration with, and for joint use by, other agencies, boards, commissions or departments and authorities created by the laws of the commonwealth; provided, however, that the Authority shall not provide housing facilities at community colleges unless the board of higher education authorizes the action. The Authority shall not initiate any project except upon written request

made by authority of the trustees and upon written approval from the secretary of administration and finance and the secretary of education. Any project initiated by the Authority shall be consistent with the campus master plan for the state university or community college.

SECTION 15. (a) Not later than 90 days after the effective date of this act, the secretary of administration and finance and the commissioner of the division of capital asset management and maintenance, in consultation with the president of the University of Massachusetts, the presidents of the state universities and the presidents of the community colleges, shall submit a report to the clerks of the house of representatives and the senate, the chairs of the house and senate committees on ways and means and the chairs of the joint committee on higher education for each public institution of higher education identifying any deferred maintenance projects at the University of Massachusetts, the state universities or the community colleges, the estimated cost of which exceeds \$50,000,000. The report shall include a roadmap on how to address necessary projects and timelines for repairs over the next 5 years.

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

SECTION 16. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2, the state treasurer shall, upon request of the

governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$3,105,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Public Higher Education Capital Expenditure Act of 2025, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2070. All interest and payments on account of principal on these obligations shall be payable from the Education and Transportation Fund. Bonds and interest on bonds issued under this section shall, notwithstanding any other provision of this act, be special obligations of the commonwealth. Such bonds shall not be included in the computation of outstanding bonds for purposes of the limit imposed by the second paragraph of section 60A of chapter 29 of the General Laws, nor shall debt service with respect to such bonds be included in the computation of the limit imposed by section 60B of said chapter 29.

SECTION 17. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out sections 2A and 2B, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate \$170,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Public Higher Education Capital Expenditure Act of 2025, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2070. All interest and payments on account of principal on these obligations shall be payable from the Education and Transportation Fund. Bonds and interest on bonds issued under

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

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