

Massachusetts FY2021 Conference Report

December 07, 2020 || By [Steven A. Baddour](#), [Daniel J. Connelly](#), [Kaitlyn C. Sprague](#), [Caitlin R. Beresin](#), [Taylor C. Shepherd](#)

The fiscal year 2021 ("FY2021") budget process has been anything but typical. Shortly after Governor Baker's budget proposal was released in January, the COVID-19 pandemic struck, reorienting the legislative calendar for the remainder of the 2019-2020 legislative session. After a three-month interim budget and a "1/12th" budget to cover November spending, on Friday, December 4th, the Legislature voted to send the FY2021 Conference Report ([HB5164](#)) to Gov. Baker's desk for signature. With the fiscal pressure of the COVID-19 pandemic continuing to loom over Massachusetts and the world, the Conference Report authorizes \$46.2 billion in spending, and includes several budget solves and policy items described below:

Budget Solves

1. \$1.7 billion withdrawal from the Commonwealth's Rainy Day Fund
2. Estimated \$950 million in federal Coronavirus Relief Fund monies
3. Estimated \$267 million from the Commonwealth's two-phase accelerated sales tax remittance program

Public Safety

1. Ignition interlock devices for first-time OUI offenders

The FY2021 Conference Report authorizes the registrar of motor vehicles, in all cases involving defendants who operate a vehicle with a blood alcohol level of 0.15 or higher, to place a restriction on hardship licenses requiring them to have an ignition interlock device installed in their vehicles. Ignition interlock devices are required for multiple drunk driving offenders in the Commonwealth, but this provision would now include first time offenders.

Health Care

1. Expanded abortion access for women in Massachusetts

The FY2021 Conference Report codifies the right to legal abortions after twenty four weeks when a physician diagnoses a fatal fetal anomaly, endangering the life of the pregnant mother. The statute also lowers the age requiring parental and/or court approval for a legal abortion from 18 to 16 years old.

2. Establishment of statewide Long-term Care Ombudsman

The Legislature included provisions for the establishment of a statewide Long-term Care Ombudsman to advocate for residents in long-term care or assisted living residences. The ombudsman will have the authority to review complaints and ensure laws and statutes are being followed in addition to ensuring the health and wellness of residents.

3. Behavioral health coverage

Provisions in the FY2021 Conference Report prohibit insurance providers from denying coverage for behavioral health services based solely on the service being provided on the same day as an office visit.

4. Updated hemp statute

The FY2021 Conference Report updates the hemp statute, allowing farmers in the Commonwealth to sell their crops to licensed marijuana establishments for use in CBD products.

COVID-Related Items

1. Extension of mail-in voting

The FY2021 Conference Report extends mail-in voting options for Massachusetts residents through March 31, 2021 for local elections.

2. Trust funds

Many industries have been disproportionately impacted by the virus necessitating a need for relief. The Conference Report establishes several trust funds including a summer camp trust fund, an early-education and care public-private trust fund, and a federal coronavirus relief fund to retain federal relief dollars provided to the state.

Gov. Baker has ten days to review the Legislature's FY2021 Conference Report and return vetoes on spending levels and/or policy items. Your team at ML Strategies is tracking the final stages of the FY2021 budget process and are ready to answer any questions you may have during these uncertain times.

Authors



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