

**MEMORANDUM**

To: All Members of AIA MA  
From: John Nunnari  
Date: 02/02/25  
Re: Legislative and Regulatory Update

**Legislative Update:****Since the last Update**

Over the late fall and early winter, Beacon Hill was consumed by overlapping affordability, energy, and fiscal debates as lawmakers worked to close out 2025 business and brace for a volatile new year. In December, tensions sharpened around tax and cost-of-living relief, with House and Senate leaders clashing over property-tax tools, income-tax ballot proposals, and how far to go in revisiting Proposition 2½ amid rising municipal and household pressures. At the same time, lawmakers finalized a year-end closeout budget to stabilize state finances — directing significant resources to MassHealth — while cannabis reform, including restructuring the Cannabis Control Commission and advancing long-delayed regulatory changes, continued unevenly between the branches. Energy affordability emerged as a parallel flashpoint, as regulators probed delivery charges and lawmakers weighed ratepayer relief against climate commitments, even as offshore wind and clean-energy timelines faced renewed uncertainty.

As the calendar turned to January, the political focus shifted decisively toward 2026, with ballot questions, budgets, and election-year positioning converging. Secretary of State filings made clear that voters could soon decide issues ranging from rent control and tax policy to elections, zoning, cannabis, and public records, forcing legislators to choose between preemptive action or ceding ground to the ballot. Against that backdrop, Gov. Healey moved to address expiring federal health-care subsidies with a temporary state backstop, rolled out immigration protections and enforcement limits, and previewed a tight FY27 budget shaped by health-care growth, energy volatility, and federal uncertainty. By late January, Healey formally launched her reelection campaign, sharpened contrasts with national politics, and set the tone for an election year in which affordability, housing production, energy costs, and immigration policy are likely to dominate both legislative debate and the ballot box.

**Looking Forward**

Formal legislative action this week remains limited to informal House and Senate sessions (Monday and Thursday), but significant behind-the-scenes work continues on immigration, fiscal, and conference matters, alongside several regulatory hearings intersecting with legislative priorities. House leadership will hold a series of closed-door caucus meetings (Wednesday and Thursday) with Democratic members and with House Republicans to discuss immigration proposals linked to the governor's supplemental budget ([H.5050](#)). Committee activity includes a Joint Committee on Consumer Protection and Professional Licensure hearing on multiple bills and home rule petitions (Wednesday), a Senate Intergovernmental Affairs Committee hearing on the fiscal impacts of federal funding disruptions (Wednesday), and a Senate Post Audit and Oversight Committee hearing reviewing MassDOT contracting issues (Tuesday). In parallel, several regulatory bodies with policy relevance to legislative debates will hold hearings or meetings, including the Department of Public Utilities on gas rate increases and net crediting (Wednesday, Thursday, and Friday), the Health Policy Commission on health care affordability initiatives (Thursday), and the Massachusetts Gaming Commission on adjudicatory and agenda-setting matters (Monday and Wednesday). Branch leaders may also advance early literacy legislation to a House-Senate conference committee, while cannabis regulation bills remain in conference, all amid ongoing bicameral

negotiations over the supplemental budget, the FY25 surtax spending bill ([H 5033](#)), and the FY27 budget ([H 2](#)).

### **AIA MA Bill Tracking**

To view the current status of all AIA MA tracked legislation, [please click here](#) (Files located under the banner *Bills Tracked for the 2025–2026 Legislative Session*)

A schedule of all Legislative Events can be found on the [Legislative Events](#) of AIA MA's website.

To review previous Legislative or Regulatory Reports or minutes from GAC meetings, please click [here](#)

### **Regulatory Update:**

A schedule of all construction board regulatory meetings can be found on the [Regulatory Events Calendar](#) of AIA MA's website.

### **Notices of Public Review of Prospective Regulations (12/09/25 – 02/02/26)**

#### **310 CMR – Department of Environmental Protection**

- January 30, 2026 – **310 CMR 7.02 (14)**: to extend the *Cumulative Impact Analysis* deadline for MassDEP to complete a program review from December 31, 2025, to December 31, 2027 to allow MassDEP, permit applicants, and environmental justice populations to gain experience implementing the CIA program before conducting a program review. – [Notice of Public Hearing](#) – Hearing to be held on 03/03/26 @ 10:00 & 6:00 p.m. Written comments accepted until 03/13/26 @ 5:00 P.M.

#### **314 CMR – Department of Environmental Protection (Division of Water Pollution Control)**

- January 30, 2026 – **314 CMR 4.00**: the Massachusetts Surface Water Quality Standards (MA SWQS). – [Notice of Public Hearing](#) – Hearing to be held on 01/27/26 @ 6:00 p.m. & 01/28/26 @ 2:00p.m. Written comments accepted until 02/09/26 @ 5:00 P.M.

### **New Regulations (12/09/25 – 02/02/2026)**

#### **301 CMR – Department of Environmental Protection**

- December 19, 2025 – **301 CMR 41.00** – MEPA Regulations – [Permanent Regulations](#) – **Effective Date: 12/19/2025**
- January 30, 2026 – **301 CMR 11.00** – Toxic or Hazardous Substance List– [Permanent Regulations](#) – **Effective Date: 01/30/2026**

CMR's tracked include: 105 CMR – State Sanitary Code; 225 CMR 22.00 – 26.00 – Energy Codes; 248 CMR – Plumbing/Gas Fitting Code; 257 CMR – Water Treatment; 271 CMR – Sheet Metal; 310 CMR – DEP; 314 CMR – Water Pollution Control; 521 CMR – Architectural Access; 522 CMR – Boiler Rules; 524 CMR – Elevator; 527 CMR – Fire Code; 528 CMR – Pipefitter and Refrigeration; 780 CMR – Building Code

Copies of all codes listed above can be found on the [State Boards and Construction Regulations](#) page of AIA MA's website

### **Board of Building Regulation and Standards**

At its January 13, 2026 meeting, the Building Board of Building Regulations and Standards (BBRS) approved prior meeting minutes, received routine reports from staff and subcommittees, and

focused primarily on code policy and process matters. The Board voted to reject a MassDOT proposal to reinstate detailed “hazards to air navigation” language from earlier code editions, concluding that compliance with the underlying statute is best addressed through statutory reference and education rather than expanded code text. The Board also voted to advance a set of [residential energy code change proposals](#) from DOER (Sections R401, R403, and R408) to the Energy Advisory Committee for further review, including potential updates related to ventilation pathways, alignment with stretch code language, treatment of ADUs and tiny homes, and optional embodied carbon measures. In addition, BBRS formally adopted an updated interpretation process, including posting guidance to the Board’s website, and heard updates on construction supervisor licensing activity and ongoing subcommittee work, before adjourning without further action.

**MA Board of Registration of Architects (MBRA)**

The next meeting of the board is February 17, 2026.

**Board of Fire Prevention Regulations (BFPR)**

The February 5, 2026 meeting has been canceled, and no rescheduled date has been announced.

**Board of Elevator Regulation**

At its December meeting, the Board convened to review multiple petitions seeking relief from applicable elevator and accessibility regulations, during which applicants presented background information, responded to Board questions, and discussed constraints affecting compliance. The Board focused on clarifying the scope of requested variances, ensuring that life safety, accessibility, and operational concerns were adequately addressed, and confirming whether additional documentation or coordination with other authorities was required. In several instances, the Board deliberated on whether the requests were sufficiently supported or whether further detail was needed to complete the record. Actions taken included motions to grant limited relief subject to conditions, as well as continuances to allow applicants time to submit supplemental information before a final determination.

**Massachusetts Sheet Metal Board**

At its December meeting, the Board conducted a public hearing and deliberation on an appeal involving the application of existing building and mechanical code provisions during renovation work, focusing on whether identified life-safety components were required to be upgraded or replaced when not part of the original scope. After testimony from design professionals, inspectors, and stakeholders, the Board directed the parties to continue working with the inspector to document the applicable fire-resistance rating of the existing construction and, if confirmed, to allow the existing systems to remain in place subject to verification, testing, and maintenance to ensure continued safe operation. The Board also discussed a separate licensing matter involving statutory requirements for business licensure, heard testimony regarding operational and economic impacts, and agreed to defer action to allow additional legal review and exploration of potential compliance pathways before taking further action.

**Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters**

The next meeting of the board is February 18, 2026.

**Board of State Examiners of Plumbers and Gas Fitters**

At its December 17, 2025 meeting, the Plumbing Code Subcommittee reviewed and advanced a wide range of proposed code clarifications and amendments, voting to approve several sections for further consideration while directing staff to draft additional language where consensus was reached but details remain unresolved. Actions included approving revisions to definitions and diagrams to clarify upstream/downstream piping, advancing updated terminology and definitions for gender-neutral restroom facilities, approving clarifying edits related to striker plates and fixture

connections, and voting to refine requirements for piping materials, cleanouts, and certain fixture connections. The Subcommittee also agreed to develop new draft language addressing testing methods for plastic piping, material requirements for drainage serving areas with alcohol or similar discharges, and venting and separator requirements, while deferring final action on other complex or emerging issues pending additional drafting and review.

**MAAB**

The next meeting of the board is February 9, 2026.

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