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Representative Kane files 33 bills for the 194th Legislative Session

BOSTON – At the start of the 194th Legislative Session, Representative Kane (R-Shrewsbury) filed thirty-three bills covering a broad range of topics. The majority of the bills were focused primarily in the areas of public health, food security, revenue, financial services, and housing.

“I look forward to working with my colleagues in the Legislature, constituents, and advocates to advance legislation that address important issues that impact Massachusetts families,” said Representative Kane.

The House and Senate Clerks have now referred bills filed seasonably to the appropriate Joint Committee, with hearings now beginning to get underway. All seasonably filed bills are guaranteed a public hearing before February of 2026, when Committees have a deadline to take action on bills heard by their Committees. Below is background on each of Representative Kane’s bill filed this session and in which Committee they reside:

Referred to the Joint Committee on Public Health:

H2459: An Act relative to informed consent for concurrent surgical procedures (Co-file with Representative Fiola): This legislation defines the medical practice known as a concurrent surgical procedure and mandates that surgeons must disclose in advance to their patients any plans to perform a concurrent surgical procedure while said patient is under anesthesia. The bill also requires a surgeon to receive their patient’s consent for participation in a concurrent surgical procedure. The bill provides exceptions in certain emergency surgery cases. The operating surgeon would also be subject to the same sign-in procedures for presence in the operating room as every other medical professional.

H2461: An Act to ensure the efficient operation of hospitals: The Health Policy Commission has identified each year for the past several years that the unit price increase at hospitals is the primary driver of rising healthcare costs. To address the growing healthcare affordability crisis in Massachusetts, this legislation would have the HPC develop a hospital efficiency standard to ensure that hospital operations are as efficient as possible. This information would also help carriers when negotiating provider reimbursement rates to ensure they are paying for high-value care.

H2460: An Act decreasing food waste by standardizing the date labeling of food (Senator Edward Kennedy filed S1555): This legislation standardizes the date labeling of food in order to mitigate consumer confusion and thereby reduce food waste, which is the single largest contributor to solid waste.

H2455: An Act relative to the promotion of food donation (Co-file with Leader Jones): This bill would require the Department of Public Health to issue guidance on food donation for businesses in the commonwealth, including information about liability protection and best practices for food donation.

H2392: An Act relative to autopsy reports by the medical examiner (Co-file with Chair Decker): This legislation requires that if the medical examiner takes jurisdiction of a deceased person, they must conduct an autopsy and provide an autopsy report to anyone legally entitled to receive it within 90 days of when they took jurisdiction, unless a notice of delay is provided with a reason for delay. This bill was reported favorably out of the Joint Committee on Public Health last session.

H2432: An Act to reduce incidence and death from pancreatic cancer (Co-file with Representative Gentile, Senator Comerford filed S1484): This bill would create a comprehensive framework to address prevention, detection, research, and treatment of pancreatic cancer. This bill is a refile of legislation that was reported favorably from the Joint Committee on Public Health during the previous session.

Referred to the Joint Committee on Healthcare Financing:

H1376: An Act Relative to the Operating Budgets of Health Care Oversight Agencies: This bill will not increase the assessed amount for hospitals, ambulatory surgical centers, pharmaceutical manufacturers, pharmacy benefit managers, and surcharge payors at a rate greater than the health care cost growth benchmark approved by the Health Policy Commission.

Referred to the Joint Committee on Judiciary:

H1806: An Act to expedite the transfer of cases to the permit session of Land Court: The Permit Session of the Land Court was established in 2006 to address land use and environmental permitting appeals, ensuring that judges with the appropriate skill set would hear and decide permitting cases promptly. However, barriers exist that prevent the simple transfer of cases to this court. This bill would create a statutory framework allowing cases to be transferred to the Permit Session by filing a notice of compliance with the jurisdictional requirement of this session, allowing cases involving large-scale housing and economic development projects to advance through the Court process as intended.

H1987: An Act to establish a DNA exception rule for victims of rape (Co-file with Representative Scanlon): This bill removes the 15-year statute of limitations for prosecuting a rape case where DNA is matched to a rape kit. There are currently 28 states which have exceptions for statutes of limitations for DNA evidence, many of which are exceptions that eliminate the statute of limitation. For more information, please see RAINN's State-by-State Guide on Statutes of Limitations (<https://www.rainn.org/state-state-guide-statutes-limitations>). These exceptions have been key efforts to protect survivors and promote justice throughout the United States; if Massachusetts wants to be a leader in social and criminal justice, then we must resolve policies, like that of this statute of limitation, which keeps perpetrators of sexual violence on the street. This bill was reported favorably from the Joint Committee on the Judiciary in the previous session.

H3154: An Act encouraging the donation of food to persons in need (Senator Comerford filed S1043): This legislation expands liability protections for food donations. It ensures that food donors can donate directly to needy individuals and still receive liability protections. It also creates a tax credit for farmers, restaurants, and grocery stores who donate food, meals, or crops to nonprofit organizations that distribute food to the needy. This bill is a refile and was reported favorably out of the Joint Committee on the Judiciary last session.

Referred to the Joint Committee on Financial Services:

H1213: An Act relative to insurance discounts: This bill would allow insurance companies to offer discounts to licensed operators of motor vehicles who complete a marijuana impairment education course. The course may be offered by accredited driving schools and insurance companies.

H1212: An Act relative to emergency insulin access (Co-file with Representative Lewis): This bill allows pharmacists to dispense insulin to a patient in an emergency situation. The amount dispensed may not exceed a 30-day supply as provided in the patient's prescription or, if the standard unit of dispensing the insulin exceeds a 30-day supply, the amount of the insulin dispensed does not exceed the standard unit of dispensing. The bill stipulates that a pharmacist may not dispense the emergency insulin more than once every 6 months to a particular patient and includes language providing that insulin-related items are dispensed with the insulin so that the patient may properly administer the insulin. The bill aims to prevent diabetes patients from becoming severely ill or dying due to a situation in which they find themselves without insulin. This bill is a refile of legislation that was reported favorably out of the Joint Committee on Financial Services last session.

H1215: An Act to assess the current status of the merged market: As part of the landmark healthcare reform law in Massachusetts (Ch. 58 of the Acts of 2006), an individual mandate was created. To make the cost of health insurance more affordable for individuals purchasing in the non-group, the risk pools of the non-group and small group markets were merged. Since then, the number of individuals purchasing in the merged market has increased significantly while the number of small businesses has declined considerably, fundamentally altering the risk pool and market dynamics. This bill proposes to assess how these changes have impacted affordability for small businesses.

H1214: An Act to protect taxpayer confidentiality: This bill would preserve the integrity of the MA unclaimed property audit program and protect the confidential taxpayer information of those persons subject to examination. Under current law, so called "work-in-progress" or WIP documents are used by the Office of the Treasurer regarding ongoing audit work of taxpayers. These WIP documents contain confidential taxpayer, and this bill would not ensure that the persons being examined, and the records disclosed to the treasurer in the course of these examinations would not be subject to disclosure and are not public record.

Referred to the Joint Committee on Revenue:

H3155: An Act allowing for the deduction of business interest (Senator Tarr filed S2091): This bill would clarify that Massachusetts will not apply IRC Section 163J to corporations, a policy which was created under the federal Tax Cuts and Jobs Act (TCJA) of 2017. This bill would decouple the state's tax code from the new interest expense deductibility limitations under IRC §163(j). Decoupling from this provision would prevent a corporate tax increase and ensure the Commonwealth remains competitive for investment by incentivizing companies to borrow more and in turn invest in Massachusetts. This bill was reported favorably from the Joint Committee on Revenue in the previous legislative session.

H3152: An Act to eliminate contingency fee auditors: This legislation would eliminate the ability for any state agency or constitutional officer to enter into contingent fee contracts with tax auditors and experts for the purposes of determining the liability of any taxpayer for any tax or defending the state department of revenue's or state treasurer's position during the course of a dispute, mediation, or litigation. The use of contingent auditors adds unfair financial, administrative, and compliance burdens for businesses in Massachusetts, particularly if such costs are not transparent and the underlying public policy is not intended to raise revenue.

H3153: An Act relative to the state tax return filings for annuities: This bill raises the threshold level of interest and dividends from annuities triggering an annual state tax return from \$100 to \$200. Many times, it currently costs more to produce the tax return than the reporting requirement threshold.

H71: Proposal for a legislative amendment to the Constitution relative to agricultural and horticultural lands (Co-file with Representative Blais, Senator Comerford filed S11): This constitutional amendment changes the acreage requirement under Article 99 of the Massachusetts Constitution to allow farms with less than 5 acres to be assessed as agricultural land. Currently, the acreage requirement only applies to farms with more than five acres, which means that smaller farms are unable to benefit from the tax relief that assessment as

agricultural land provides. This amendment will benefit small farms, beginning farmers, and farmers from underserved communities.

H3130: An Act to promote urban agriculture and horticulture (Co-file with Representative Howard, Senator Edward Kennedy filed S2023): This bill addresses the challenge of land access for urban farming by allowing cities with a population of over 50,000 residents and all Gateway Cities to adopt a property tax exemption for land used for commercial urban agriculture. The tax incentive is optional, so cities can choose to adopt it and later repeal it. Furthermore, cities can choose how much of a tax break to provide. The bill is targeted to small-scale, productive urban growers. The tax break would apply only to the portion of a parcel being used for urban agriculture; it does not require the entire parcel to be used for farming. This is particularly important in denser cities, where urban agriculture could be paired with affordable housing, or another needed land use. To receive the tax benefit, the portion of the land in use for urban agriculture must total two acres or less and gross sales of agricultural or horticultural products from the parcel must have totaled at least \$500 in the previous year. This bill was reported favorably from the Joint Committee on Revenue in the last session.

Referred to the Joint Committee on Education:

H615: An Act to ensure the health and safety of children: The Department of Early Education and Care (EEC) oversees childcare programs serving children as young as infants throughout the Commonwealth. Currently, a licensing exemption exists in statute that allows certain programs to operate with little oversight, even if these programs are serving infants. This bill would ensure that license-exempt programs serving infants through kindergarten-age children comply with basic health and safety standards, including annual training for staff. Additionally, the legislation would require EEC to include these programs in their online provider directory, making program information more easily accessible to families considering their childcare options.

H616: An Act to allow for school districts to collect a fee associated with nonresident pupil transportation: This bill allows a school district to charge a transportation fee for students in grades 7-12 who attend an out of district vocational or agricultural school no higher than the fee charged to students in grades 7-12 who attend an in-district school. The bill prohibits the assessment of a fee for students whose families are at or below 300% of the federal poverty level as defined by the U.S. Department of Health and Human Services. State law requires the Commonwealth to reimburse school districts for these transportation costs, however, the Commonwealth reimbursement level has been less than 10% of reimbursable costs in recent years. Compounding the issue is a state law prohibiting school districts from charging these students a bus fee, even if all other students in the district are charged one.

H617: An Act establishing an educational mandate task force: This legislation creates an educational mandate task force to review existing state mandates placed on public schools and school districts in the Commonwealth. The task force will identify and review laws, regulations, and administrative directives that set requirements for school districts as well as identify state laws that require DESE to submit reports to the legislature based on information, they must obtain from school districts in order to develop recommendations to consolidate and eliminate mandates or reporting requirements which are duplicative or outdated.

Referred to the Joint Committee on Elder Affairs

H772: An Act establishing a commission to study the financial abuse of elders (Co-file with Senator Velis): This legislation establishes a commission to study and prevent the financial abuse of elders. The commission is comprised of various stakeholders, including representatives from councils on aging and elder advocacy groups, as well as those in the real estate and financial services industries. This bill was reported favorably out of the Joint Committee on Elder Affairs last session.

Referred to the Joint Committee on State Administration Regulatory Oversight

H3331: An Act establishing the Executive Office of Food Resources and Security (Co-file with Representative Ferrante, Senator Tarr filed S2223): This legislation establishes the Executive Office of Food Resources and Security under the control of a secretary of food resources and security, appointed by the governor. The office will carry out policy relative to food production and in doing so will foster and support food producers, promote job creation and economic development in food production and local food distribution, develop and administer programs and incentives to improve nutrition and promote healthy eating habits, among a variety of other tasks and goals to strengthen the Commonwealth's food system. This bill was reported favorably out of the Joint Committee on State Administration and Regulatory Oversight last session.

H3430: An Act designating Diwali Day as a state holiday (Co-file with Representative Vaughn, Senator Moore filed S2184): This legislation recognizes the fifteenth day of the Hindu lunisolar month of Kartik as Diwali Day. Diwali is an important holiday to Hindu, Sikh, Jain, and Buddhist communities in Massachusetts, and official recognition honors the Commonwealth's religious and cultural diversity.

Referred to the Joint Committee on Housing

H1538: An Act relative to a special commission to study condominium law: This bill establishes a special commission, comprised of seven (7) members, to review issues such as Board of Trustee elections and operations, owners' rights and enforcement, annual meeting protocol, condo fees, association and management responsibilities, designation of the appropriate state agency to regulate, and protocol for owner and board dispute settlements. This bill was reported favorably from the Joint Committee on Housing during the previous session.

H1539: An Act relative to condominium elections: This bill provides for standard rules and regulations in condominium elections, such as notice of annual meetings, declaration of candidacy for a board position, absentee ballot process, and board member qualifications such as being up to date on assessment and condo fees.

Referred to the Joint Committee on Transportation

H3710: An Act relative to driver education: This bill would require that driver education courses include a module on the science related to the impairment effects of marijuana. Student drivers currently get educated on the impacts of drinking and driving; this bill adds marijuana impairment to the course.

Referred to the Joint Committee on Cannabis Policy

H156: An Act relative to establishing a minimum age of entry for cannabis related events: This bill eliminates a loophole in current cannabis policy that allows for persons younger than 21 to attend cannabis-related events. Allowing people younger than 21 to attend these events not only negatively impacts youths by encouraging the consumption of a product that is damaging to the developing adolescent brain, but it is inherently incompatible with the intent of our MA cannabis laws prohibiting consumption for people under 21. This bill will provide clarity and close a critical loophole.

Referred to the Joint Committee on Municipalities and Regional Government

H2297: An Act relative to protecting municipalities from unfunded mandates (Co-filed with Representative Arciero): This legislation requires that any bill that imposes a cost on municipal governments have a fiscal note or study which clearly explains any cost, including but not limited to the cost for the requisite staff necessary to administer or implement the legislation, and that the pending legislation cannot be enacted until such time as an appropriation satisfying the cost is provided.

Referred to the Joint Committee on Veterans and Federal Affairs

H3839: An Act relative to recognition of the "Honor and Remember" flag in the Commonwealth (Co-filed with Representative Fiola, Senator Velis filed S2500): This legislation would establish the Honor and Remember flag to recognize the sacrifice of fallen service members and their families. The flag has been adopted by 26 states and legislation has been filed on the federal level to make the flag a permanent fixture. The organization that has advocated for this flag pays tribute to all military lives lost, not only while serving on active duty but also as a result of serving. Military deaths in all wars or conflicts and all branches of service from our nation's inception are recognized.

Referred to the Joint Committee on Agriculture:

H129: An Act relative to the healthy incentives program (Co-filed with Representative Jones, Senator Comerford filed S104): This bill would require a statewide survey to be conducted in order to collect feedback from farmers and clients regarding their experience with the Healthy Incentives Program. This bill was reported favorably from the Joint Committee on Children, Families and Persons with Disabilities and from the Joint Committee on Agriculture during the previous session.

H130: An Act relative to membership updates for the Massachusetts Food Policy Council (Senator Comerford filed S52): This bill expands the Massachusetts Food Policy Council membership to include the Director of the Division of Marine Fisheries and the Director of the University of Massachusetts Center for Agriculture, Food, and the Environment, or their designees.