

**HOUSE . . . . . No. 1243**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Theodore C. Speliotis**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act creating smoke free elderly housing units in the commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Theodore C. Speliotis	13th Essex
Anne M. Gobi	5th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1285 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT CREATING SMOKE FREE ELDERLY HOUSING UNITS IN THE COMMONWEALTH.

*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. The Massachusetts Department of Housing and Community Development is hereby authorized and  
2 directed to establish a policy, in conjunction with local and regional housing authorities, to designate at least one  
3 residential building within said authorities' jurisdiction as a smoke-free building.
- 4 SECTION 2. Any housing authority having governance of one hundred or less units shall be required to make  
5 available not less than twenty percent of said units as smoke-free. These units ought to be either contiguous to each  
6 other or separated from the remainder of any existing structure if physically possible.
- 7 SECTION 3. Said policy shall consist of a phase-in period in which apartments, as they become vacant, shall be  
8 made available to non-smokers. Said policy shall contain language stating that current tenants or their guests that  
9 wish to smoke may not be evicted or forced to move against their wishes.