

**SENATE . . . . . No. 41**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Harriette L. Chandler***

*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 adoption of the accompanying bill:

An Act clarifying municipal authority regarding cash sureties and foreclosures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>James T. Welch</i>	<i>Hampden</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Brendan P. Crighton</i>	<i>11th Essex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>
<i>Robert F. Fennell</i>	<i>10th Essex</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Kate D. Campanale</i>	<i>17th Worcester</i>

<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	
<i>John J. Mahoney</i>	<i>13th Worcester</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Ellen Story</i>	<i>3rd Hampshire</i>	
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	
<i>Marcos A. Devers</i>	<i>16th Essex</i>	
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>6/30/2015</i>

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By Ms. Chandler, a petition (accompanied by bill, Senate, No. 41) (subject to Joint Rule 12) of Harriette L. Chandler, Michael O. Moore, Barbara L'Italien, Thomas M. McGee and other members of the General Court for legislation to clarify municipal authority regarding cash sureties. The Judiciary.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act clarifying municipal authority regarding cash sureties and foreclosures.

*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. Section 127I of chapter 111 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by adding the following paragraph:-

3 Nothing in this chapter shall be read to preempt any municipal law requiring a cash  
4 surety for a property identified as vacant or controlled by a foreclosing entity.

5 SECTION 2. Chapter 244, as so appearing, is hereby amended by inserting after section  
6 40 the following section:-

7 Section 41. Except where explicitly denied by the General Laws, municipalities shall  
8 have authority to enact laws for the purpose of minimizing foreclosures, ensuring the safety and  
9 security of residents, and ensuring the upkeep of vacant properties and those in foreclosure.