

HOUSE No. 1243

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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
2 is hereby authorized and directed to establish a policy, in conjunction with local and regional
3 housing authorities, to designate at least one residential building within said authorities'
4 jurisdiction as a smoke-free building.

5 SECTION 2. Any housing authority having governance of one hundred or less units shall
6 be required to make available not less than twenty percent of said units as smoke-free. These
7 units ought to be either contiguous to each other or separated from the remainder of any existing
8 structure if physically possible.

9 SECTION 3. Said policy shall consist of a phase-in period in which apartments, as they
10 become vacant, shall be made available to non-smokers. Said policy shall contain language
11 stating that current tenants or their guests that wish to smoke may not be evicted or forced to
12 move against their wishes.