

HOUSE No. 1278

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to the Nuisance Statute ..

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. Chapter 139 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by adding the following new section 4A:-

3 Section 4A. Vehicles used for prostitution, assignation or lewdness; nuisance.

4 In any city or town that accepts the provisions of this section, every vehicle within or
5 upon which acts of prostitution, assignation or lewdness are held or occur, shall be deemed a
6 nuisance.

7 SECTION 2. Section 6 of said chapter 139, as so appearing, is hereby amended by
8 inserting after the word "commonwealth," the following:-

9 " or an appropriate designee of the city or town police department,"

10 and by inserting after the word "building" the word:- ", vehicle".

11 SECTION 3. Section 7 of said chapter 139, as so appearing, is hereby amended by
12 inserting after the word "premises" the words:- "or vehicle".

13 SECTION 4. Section 9 of said chapter 139, as so appearing, is hereby amended by
14 inserting the following new concluding sentence:-

15 "Any vehicle found by the court to be a nuisance or used in maintaining a nuisance
16 within the meaning of this chapter shall be subject to the same manner of order and judgment as
17 all furniture, musical instruments and movable property used in maintaining a nuisance and
18 referenced herein, as provided under this chapter, as long as the court determines in its discretion
19 that the order and judgment is appropriate and necessary to abate the nuisance and recover the
20 costs of the proceedings."

21 SECTION 5. This act shall take effect upon its passage.