

SENATE No. 1590

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to homestead declarations recording of deeds.

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 188 of the General Laws, is hereby amended by striking out section
2 2 in its entirety and inserting in its place the following new section:- Section 2. Notwithstanding
3 the rights of any mortgagee, upon the recoding of any deed accompanied by an affidavit, signed,
4 sealed and acknowledged that the conveyed premises are the primary residence of the grantee, an
5 estate of homestead shall be created in the conveyed property by the grantee. To acquire a claim
6 of homestead in a manufactured home, the fact that it is designed to be held as such shall be set
7 forth in writing duly signed, sealed and acknowledged and filed at the city or town clerk’s office
8 in the city or town in which the manufactured home is located. The acquisition of a new estate or
9 claim of homestead shall defeat and discharge any such previous estate.