

SENATE No. 2480

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act prohibiting the adverse possession of state, county and municipal land..

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 260 of the General Laws, as appearing the 2006 Official Edition, is
2 hereby amended by striking out section 31 entirely, and inserting in place thereof the following
3 new section 31:-

4 Section 31. Property held or owned by the Commonwealth, or any county, city, town,
5 public, quasi-public, municipal or quasi-municipal, corporation, division or political subdivision,
6 cannot be acquired by adverse possession.

7 No possession, no matter how long it is continuous, open, notorious, exclusive or
8 adverse, of any land, water, water rights, easements, or other property whatsoever dedicated to or
9 owned by the Commonwealth or any county, city, town, public, quasi-public, municipal or quasi-
10 municipal, corporation, division or political subdivision, shall ever ripen into any title against the
11 said Commonwealth or any county, city, town, public, quasi-public, municipal or quasi-
12 municipal, corporation, division or political subdivision.

13 SECTION 2. This Act shall take effect upon its passage, and shall also apply to lands
14 currently in litigation that have not reached final judgment or decree or are under appellate
15 review.