SENATE DOCKET, NO. 997 FILED ON: 1/13/2009

SENATE . . . . . No. 390

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to protect the Commonwealth's hemlock trees..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of Chapter 142A of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out lines 9-13 inclusive and inserting in place thereof the following -

"Claimant" an owner and resident of a residential building, containing at least one but not more than four dwelling units, or an owner and resident of a single condominium unit in a residential building, who has entered into a construction contract with a contractor to carry out construction work on said building, or, for a condominium owner, who has entered into a construction contract with a contractor to carry out construction work on an area of said building under that owner's exclusive control, and who is making a claim against said contractor for failure of performance under said contract.

SECTION 2. This act shall be effective retroactively to January 1, 1996. Any claim which would otherwise be foreclosed under the provisions of section 7 of this chapter shall be considered timely filed with regard to said section 7 if filed within six months of the enactment of this act.