

HOUSE No. 3362

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Murphy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to landlords accountability with regard to drug houses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>1/21/2011</i>

HOUSE No. 3362

By Mr. Murphy of Weymouth, a petition (accompanied by bill, House, No. 3362) of James M. Murphy for legislation to establish penalties for landlords knowingly providing premises used for illegal drug purposes. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to landlords accountability with regard to drug houses.

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

1 Chapter 139 of the General Laws, as appearing in the 2008 Official Edition, is hereby
2 amended by inserting after section 19 the following section:-

3 Section 19A. (a) An owner of a residential dwelling unit shall not knowingly and
4 intentionally rent, lease, profit from, or make available for use, with or without compensation,
5 the dwelling unit for the purpose of unlawfully manufacturing, storing, distributing, or using a
6 controlled substance as set forth in section 31 of chapter 94C; provided, however that no housing
7 authority shall be an owner under this section.

8 (b) Any person who violates subsection (a) shall be subject to a civil penalty of not more
9 than the greater of: \$1,000 for the first offense; \$5,000 for the second offense; and \$10,000 for
10 each offense after; or 2 times the gross receipts, either known or estimated, that were derived
11 from each violation that is attributable to the person. If a civil penalty is calculated under this
12 subsection and there is more than 1 defendant, the court may apportion the penalty between

13 multiple violators, but each violator shall be jointly and severally liable for the civil penalty
14 under this subsection.

15 (c) Penalties paid under this section shall be collected during time of sentencing and
16 disbursed to the arresting agency to be used for drug awareness education or substance abuse
17 counseling or advocacy for youths, parents and other interested adults.