

SENATE No. 747

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

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 to remove an inconsistency between c.246, sec 40 and c.235 sec 16.

PETITION OF:

NAME:

Cynthia S. Creem

DISTRICT/ADDRESS:

SENATE No. 747

By Ms. Creem, a petition (accompanied by bill, Senate, No. 747) of Cynthia S. Creem for legislation relative to attachments upon trustees. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1623 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to remove an inconsistency between c.246, sec 40 and c.235 sec 16.

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 246 of the General Laws is hereby amended by striking out section
2 40, appearing in the 2008 Official Edition, and inserting in place thereof the following section: -

3 Section 40. If the goods, effects and credits in the hands of a person adjudged a trustee
4 are not demanded of him by force of the trustee execution within thirty days after the date which
5 appears on the trustee execution, they shall be liable to another attachment, whether made before
6 or after said date; or if there has been no such second attachment, they may be recovered by the
7 defendant.