

SENATE . . . . . No. 41

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

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 clarifying municipal authority regarding cash sureties and foreclosures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Harriette L. Chandler	First Worcester
Michael O. Moore	Second Worcester
Barbara A. L'Italien	Second Essex and Middlesex
Thomas M. McGee	Third Essex
James T. Welch	Hampden
Eric P. Lesser	First Hampden and Hampshire
Mary S. Keefe	15th Worcester
Daniel M. Donahue	16th Worcester
Sheila C. Harrington	1st Middlesex
Brendan P. Crighton	11th Essex
Chris Walsh	6th Middlesex
Diana DiZoglio	14th Essex
Robert F. Fennell	10th Essex
James J. O'Day	14th Worcester
Anne M. Gobi	Worcester, Hampden, Hampshire and Middlesex
Benjamin Swan	11th Hampden
Kate D. Campanale	17th Worcester

<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	
<i>John J. Mahoney</i>	<i>13th Worcester</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Ellen Story</i>	<i>3rd Hampshire</i>	
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	
<i>Marcos A. Devers</i>	<i>16th Essex</i>	
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>6/30/2015</i>

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By Ms. Chandler, a petition (accompanied by bill, Senate, No. 41) (subject to Joint Rule 12) of Harriette L. Chandler, Michael O. Moore, Barbara L'Italien, Thomas M. McGee and other members of the General Court for legislation to clarify municipal authority regarding cash sureties. The Judiciary.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act clarifying municipal authority regarding cash sureties and foreclosures.

*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. Section 127I of chapter 111 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by adding the following paragraph:-

3 Nothing in this chapter shall be read to preempt any municipal law requiring a cash  
4 surety for a property identified as vacant or controlled by a foreclosing entity.

5 SECTION 2. Chapter 244, as so appearing, is hereby amended by inserting after section  
6 40 the following section:-

7 Section 41. Except where explicitly denied by the General Laws, municipalities shall  
8 have authority to enact laws for the purpose of minimizing foreclosures, ensuring the safety and  
9 security of residents, and ensuring the upkeep of vacant properties and those in foreclosure.