SENATE DOCKET, NO. 982 FILED ON: 1/15/2015

SENATE . . . . . No. 501

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 concerning the use of certain insurance underwriting guidelines pertaining to dogs harbored upon the insured property.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*	
Marc R. Pacheco	*First Plymouth and Bristol*	
Mark C. Montigny	*Second Bristol and Plymouth*	
William N. Brownsberger	*Second Suffolk and Middlesex*	
James B. Eldridge	*Middlesex and Worcester*	
Jason M. Lewis	*Fifth Middlesex*	
Robert L. Hedlund	*Plymouth and Norfolk*	
Louis L. Kafka	*8th Norfolk*	
David Paul Linsky	*5th Middlesex*	
Mark J. Cusack	*5th Norfolk*	
Susan Williams Gifford	*2nd Plymouth*	
Dennis A. Rosa	*4th Worcester*	
Carolyn C. Dykema	*8th Middlesex*	
Jonathan D. Zlotnik	*2nd Worcester*	
John J. Lawn, Jr.	*10th Middlesex*	
Colleen M. Garry	*36th Middlesex*	

Peter V. Kocot	*1st Hampshire*	
Michelle M. DuBois	*10th Plymouth*	
Michael O. Moore	*Second Worcester*	
Angelo J. Puppolo, Jr.	*12th Hampden*	
Marjorie C. Decker	*25th Middlesex*	
Jay D. Livingstone	*8th Suffolk*	
Ruth B. Balser	*12th Middlesex*	
Angelo L. D'Emilia	*8th Plymouth*	
William Smitty Pignatelli	*4th Berkshire*	
Jonathan Hecht	*29th Middlesex*	
Paul McMurtry	*11th Norfolk*	
Frank I. Smizik	*15th Norfolk*	
Kevin J. Kuros	*8th Worcester*	
Brian R. Mannal	*2nd Barnstable*	
Tom Sannicandro	*7th Middlesex*	
Diana DiZoglio	*14th Essex*	
James J. Dwyer	*30th Middlesex*	
Kay Khan	*11th Middlesex*	
Danielle W. Gregoire	*4th Middlesex*	
Timothy R. Madden	*Barnstable, Dukes and Nantucket*	
John W. Scibak	*2nd Hampshire*	
Josh S. Cutler	*6th Plymouth*	
Christine P. Barber	*34th Middlesex*	
Jennifer E. Benson	*37th Middlesex*	
Evandro C. Carvalho	*5th Suffolk*	
Kate Hogan	*3rd Middlesex*	
David M. Rogers	*24th Middlesex*	
Daniel Cullinane	*12th Suffolk*	
F. Jay Barrows	*1st Bristol*	
Paul W. Mark	*2nd Berkshire*	
Timothy J. Toomey, Jr.	*26th Middlesex*	
Walter F. Timilty	*7th Norfolk*	
Bruce J. Ayers	*1st Norfolk*	*11/18/2015*
Joan B. Lovely	*Second Essex*	*12/28/2015*

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By Ms. Gobi, a petition (accompanied by bill, Senate, No. 501) of Anne M. Gobi, Marc R. Pacheco, Mark C. Montigny, William N. Brownsberger and other members of the General Court relative to the use of certain insurance underwriting guidelines for homeowners with dogs living on such insured property. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *918* OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act concerning the use of certain insurance underwriting guidelines pertaining to dogs harbored upon the insured property.

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. As used in this act:

"Insurer" means any insurer engaged in the business of homeowners.

Section 2. No insurance company offering homeowners insurance coverage in Massachusetts issuing a policy or contract insuring against liability for injury to any person or injury to or destruction of property arising out of ownership or lease of residential property shall refuse to issue or renew, cancel or charge or impose an increased premium or rate of such a policy or contract based in whole or in part, upon the harboring of any specific breed or breeds of dog upon such real property.

9 Section 3. If any such dog has been designated as a dangerous dog pursuant to current
10 statutes, the provisions in this section shall in no manner prohibit an insurer from refusing to
11 issue or renew or from canceling any such contact or policy, nor from imposing an increased
12 premium or rate for such a policy or contract.

13 Section 4. This act shall take effect on the 60th day after enactment.

14 Section 5. All dog bites/attacks that result in medical attention must be reported to: the
15 Massachusetts Department of Public Health (DPH) within 60 days of the incident, using a
16 standardized format.

17 The report shall include, but not be limited to, the following information:

18 •Time, date and location of incident

19 •Name, address, phone number of the dogs owner(s) and the same for the victim(s) of the
20 attack

21 •The breed of dog: Actual breed, mixed breed including two breeds, beyond two breeds
22 the breed should be listed as unknown mixed breed.

23 •A narrative description of the circumstances of the act, detailing the events involved in
24 the incident.

25 Section 6. DPH shall compile statistics regarding the nature of each dog incident, which
26 shall be made available to all insurers and the general public upon request.

27 Section 7. Failure to report such dog bite/attack within the required time shall release the
28 insurer from the liability of paying for damages incurred.