

**HOUSE . . . . . No. 2463**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Ann-Margaret Ferrante***

*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 preserve community preservation revenue.**

PETITION OF:

| NAME:                          | DISTRICT/ADDRESS:     | DATE ADDED:      |
|--------------------------------|-----------------------|------------------|
| <i>Ann-Margaret Ferrante</i>   | <i>5th Essex</i>      | <i>1/17/2019</i> |
| <i>Natalie M. Blais</i>        | <i>1st Franklin</i>   | <i>1/28/2019</i> |
| <i>Kate Hogan</i>              | <i>3rd Middlesex</i>  | <i>2/1/2019</i>  |
| <i>Carolyn C. Dykema</i>       | <i>8th Middlesex</i>  | <i>1/23/2019</i> |
| <i>Carlos González</i>         | <i>10th Hampden</i>   | <i>1/24/2019</i> |
| <i>Tami L. Gouveia</i>         | <i>14th Middlesex</i> | <i>2/1/2019</i>  |
| <i>Louis L. Kafka</i>          | <i>8th Norfolk</i>    | <i>1/25/2019</i> |
| <i>Aaron Vega</i>              | <i>5th Hampden</i>    | <i>1/22/2019</i> |
| <i>Kay Khan</i>                | <i>11th Middlesex</i> | <i>1/24/2019</i> |
| <i>Steven S. Howitt</i>        | <i>4th Bristol</i>    | <i>1/23/2019</i> |
| <i>Bud L. Williams</i>         | <i>11th Hampden</i>   | <i>1/30/2019</i> |
| <i>Jack Patrick Lewis</i>      | <i>7th Middlesex</i>  | <i>2/1/2019</i>  |
| <i>José F. Tosado</i>          | <i>9th Hampden</i>    | <i>1/25/2019</i> |
| <i>Thomas P. Walsh</i>         | <i>12th Essex</i>     | <i>1/29/2019</i> |
| <i>William L. Crocker, Jr.</i> | <i>2nd Barnstable</i> | <i>1/22/2019</i> |
| <i>Elizabeth A. Poirier</i>    | <i>14th Bristol</i>   | <i>1/18/2019</i> |
| <i>Tram T. Nguyen</i>          | <i>18th Essex</i>     | <i>1/25/2019</i> |
| <i>Tricia Farley-Bouvier</i>   | <i>3rd Berkshire</i>  | <i>1/22/2019</i> |

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|-------------------------------|--|------------------|
| <i>Steven Ultrino</i>         | <i>33rd Middlesex</i>                  | <i>1/23/2019</i> |
| <i>Diana DiZoglio</i>         | <i>First Essex</i>                     | <i>1/23/2019</i> |
| <i>Mike Connolly</i>          | <i>26th Middlesex</i>                  | <i>1/23/2019</i> |
| <i>Denise Provost</i>         | <i>27th Middlesex</i>                  | <i>1/23/2019</i> |
| <i>Angelo J. Puppolo, Jr.</i> | <i>12th Hampden</i>                    | <i>1/23/2019</i> |
| <i>Brian W. Murray</i>        | <i>10th Worcester</i>                  | <i>1/23/2019</i> |
| <i>John J. Lawn, Jr.</i>      | <i>10th Middlesex</i>                  | <i>1/24/2019</i> |
| <i>Mary S. Keefe</i>          | <i>15th Worcester</i>                  | <i>1/24/2019</i> |
| <i>Christine P. Barber</i>    | <i>34th Middlesex</i>                  | <i>1/24/2019</i> |
| <i>Antonio F. D. Cabral</i>   | <i>13th Bristol</i>                    | <i>1/24/2019</i> |
| <i>Ruth B. Balsler</i>        | <i>12th Middlesex</i>                  | <i>1/24/2019</i> |
| <i>Dylan A. Fernandes</i>     | <i>Barnstable, Dukes and Nantucket</i> | <i>1/25/2019</i> |
| <i>Christina A. Minicucci</i> | <i>14th Essex</i>                      | <i>1/25/2019</i> |
| <i>Sean Garballey</i>         | <i>23rd Middlesex</i>                  | <i>1/25/2019</i> |
| <i>David M. Rogers</i>        | <i>24th Middlesex</i>                  | <i>1/25/2019</i> |
| <i>Harriette L. Chandler</i>  | <i>First Worcester</i>                 | <i>1/25/2019</i> |
| <i>Elizabeth A. Malia</i>     | <i>11th Suffolk</i>                    | <i>1/28/2019</i> |
| <i>Thomas M. Stanley</i>      | <i>9th Middlesex</i>                   | <i>1/28/2019</i> |
| <i>Bradley H. Jones, Jr.</i>  | <i>20th Middlesex</i>                  | <i>1/28/2019</i> |
| <i>Mathew J. Muratore</i>     | <i>1st Plymouth</i>                    | <i>1/28/2019</i> |
| <i>Adrian C. Madaro</i>       | <i>1st Suffolk</i>                     | <i>1/28/2019</i> |
| <i>Peter Capano</i>           | <i>11th Essex</i>                      | <i>1/28/2019</i> |
| <i>Kevin G. Honan</i>         | <i>17th Suffolk</i>                    | <i>1/29/2019</i> |
| <i>Paul F. Tucker</i>         | <i>7th Essex</i>                       | <i>1/29/2019</i> |
| <i>Jennifer E. Benson</i>     | <i>37th Middlesex</i>                  | <i>1/29/2019</i> |
| <i>Angelo L. D'Emilia</i>     | <i>8th Plymouth</i>                    | <i>1/29/2019</i> |
| <i>Daniel M. Donahue</i>      | <i>16th Worcester</i>                  | <i>1/29/2019</i> |
| <i>Lindsay N. Sabadosa</i>    | <i>1st Hampshire</i>                   | <i>1/29/2019</i> |
| <i>Russell E. Holmes</i>      | <i>6th Suffolk</i>                     | <i>1/29/2019</i> |
| <i>James Arciero</i>          | <i>2nd Middlesex</i>                   | <i>1/29/2019</i> |
| <i>Natalie M. Higgins</i>     | <i>4th Worcester</i>                   | <i>1/29/2019</i> |
| <i>Sarah K. Peake</i>         | <i>4th Barnstable</i>                  | <i>1/29/2019</i> |
| <i>Smitty Pignatelli</i>      | <i>4th Berkshire</i>                   | <i>1/29/2019</i> |
| <i>James B. Eldridge</i>      | <i>Middlesex and Worcester</i>         | <i>1/29/2019</i> |
| <i>Jay D. Livingstone</i>     | <i>8th Suffolk</i>                     | <i>1/29/2019</i> |
| <i>David K. Muradian, Jr.</i> | <i>9th Worcester</i>                   | <i>1/30/2019</i> |
| <i>Marjorie C. Decker</i>     | <i>25th Middlesex</i>                  | <i>1/30/2019</i> |
| <i>Stephan Hay</i>            | <i>3rd Worcester</i>                   | <i>1/30/2019</i> |
| <i>Daniel J. Ryan</i>         | <i>2nd Suffolk</i>                     | <i>1/30/2019</i> |

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|---------------------------------|------------------------------|------------------|
| <i>Paul McMurtry</i>            | <i>11th Norfolk</i>          | <i>1/30/2019</i> |
| <i>Daniel J. Hunt</i>           | <i>13th Suffolk</i>          | <i>1/30/2019</i> |
| <i>Paul W. Mark</i>             | <i>2nd Berkshire</i>         | <i>1/30/2019</i> |
| <i>Denise C. Garlick</i>        | <i>13th Norfolk</i>          | <i>1/30/2019</i> |
| <i>Paul A. Schmid, III</i>      | <i>8th Bristol</i>           | <i>1/30/2019</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i>        | <i>1/30/2019</i> |
| <i>Patricia D. Jehlen</i>       | <i>Second Middlesex</i>      | <i>1/30/2019</i> |
| <i>Randy Hunt</i>               | <i>5th Barnstable</i>        | <i>1/30/2019</i> |
| <i>Kenneth I. Gordon</i>        | <i>21st Middlesex</i>        | <i>1/30/2019</i> |
| <i>Michael J. Finn</i>          | <i>6th Hampden</i>           | <i>1/30/2019</i> |
| <i>Todd M. Smola</i>            | <i>1st Hampden</i>           | <i>1/30/2019</i> |
| <i>Sal N. DiDomenico</i>        | <i>Middlesex and Suffolk</i> | <i>1/30/2019</i> |
| <i>Brendan P. Crighton</i>      | <i>Third Essex</i>           | <i>1/30/2019</i> |
| <i>Thomas A. Golden, Jr.</i>    | <i>16th Middlesex</i>        | <i>1/30/2019</i> |
| <i>James J. O'Day</i>           | <i>14th Worcester</i>        | <i>1/31/2019</i> |
| <i>Liz Miranda</i>              | <i>5th Suffolk</i>           | <i>1/31/2019</i> |
| <i>David Biele</i>              | <i>4th Suffolk</i>           | <i>1/31/2019</i> |
| <i>Carole A. Fiola</i>          | <i>6th Bristol</i>           | <i>1/31/2019</i> |
| <i>Mindy Domb</i>               | <i>3rd Hampshire</i>         | <i>1/31/2019</i> |
| <i>Lenny Mirra</i>              | <i>2nd Essex</i>             | <i>1/31/2019</i> |
| <i>Michelle L. Ciccolo</i>      | <i>15th Middlesex</i>        | <i>1/31/2019</i> |
| <i>Alan Silvia</i>              | <i>7th Bristol</i>           | <i>1/31/2019</i> |
| <i>Harold P. Naughton, Jr.</i>  | <i>12th Worcester</i>        | <i>1/31/2019</i> |
| <i>Kathleen R. LaNatra</i>      | <i>12th Plymouth</i>         | <i>1/31/2019</i> |
| <i>Timothy R. Whelan</i>        | <i>1st Barnstable</i>        | <i>1/31/2019</i> |
| <i>Edward F. Coppinger</i>      | <i>10th Suffolk</i>          | <i>1/31/2019</i> |
| <i>Alice Hanlon Peisch</i>      | <i>14th Norfolk</i>          | <i>1/31/2019</i> |
| <i>Daniel R. Carey</i>          | <i>2nd Hampshire</i>         | <i>1/31/2019</i> |
| <i>Michael F. Rush</i>          | <i>Norfolk and Suffolk</i>   | <i>1/31/2019</i> |
| <i>Brian M. Ashe</i>            | <i>2nd Hampden</i>           | <i>1/31/2019</i> |
| <i>Mark J. Cusack</i>           | <i>5th Norfolk</i>           | <i>1/31/2019</i> |
| <i>John C. Velis</i>            | <i>4th Hampden</i>           | <i>1/31/2019</i> |
| <i>Patricia A. Haddad</i>       | <i>5th Bristol</i>           | <i>1/31/2019</i> |
| <i>Colleen M. Garry</i>         | <i>36th Middlesex</i>        | <i>1/31/2019</i> |
| <i>John Barrett, III</i>        | <i>1st Berkshire</i>         | <i>1/31/2019</i> |
| <i>Jonathan Hecht</i>           | <i>29th Middlesex</i>        | <i>1/31/2019</i> |
| <i>Michael S. Day</i>           | <i>31st Middlesex</i>        | <i>1/31/2019</i> |
| <i>Nika C. Elugardo</i>         | <i>15th Suffolk</i>          | <i>1/31/2019</i> |
| <i>Shawn Dooley</i>             | <i>9th Norfolk</i>           | <i>1/31/2019</i> |

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|---------------------------------|---------------------------------------|------------------|
| <i>Susannah M. Whipps</i>       | <i>2nd Franklin</i>                   | <i>1/31/2019</i> |
| <i>Daniel R. Cullinane</i>      | <i>12th Suffolk</i>                   | <i>2/1/2019</i>  |
| <i>Michael O. Moore</i>         | <i>Second Worcester</i>               | <i>2/1/2019</i>  |
| <i>Eric P. Lesser</i>           | <i>First Hampden and Hampshire</i>    | <i>2/1/2019</i>  |
| <i>Maria Duaine Robinson</i>    | <i>6th Middlesex</i>                  | <i>2/1/2019</i>  |
| <i>Jerald A. Parisella</i>      | <i>6th Essex</i>                      | <i>2/1/2019</i>  |
| <i>William C. Galvin</i>        | <i>6th Norfolk</i>                    | <i>2/1/2019</i>  |
| <i>Marc R. Pacheco</i>          | <i>First Plymouth and Bristol</i>     | <i>2/1/2019</i>  |
| <i>Hannah Kane</i>              | <i>11th Worcester</i>                 | <i>2/1/2019</i>  |
| <i>Rebecca L. Rausch</i>        | <i>Norfolk, Bristol and Middlesex</i> | <i>2/1/2019</i>  |
| <i>Julian Cyr</i>               | <i>Cape and Islands</i>               | <i>2/1/2019</i>  |
| <i>Jon Santiago</i>             | <i>9th Suffolk</i>                    | <i>2/1/2019</i>  |
| <i>Josh S. Cutler</i>           | <i>6th Plymouth</i>                   | <i>2/1/2019</i>  |
| <i>John H. Rogers</i>           | <i>12th Norfolk</i>                   | <i>2/1/2019</i>  |
| <i>Paul J. Donato</i>           | <i>35th Middlesex</i>                 | <i>2/1/2019</i>  |
| <i>Bruce J. Ayers</i>           | <i>1st Norfolk</i>                    | <i>2/1/2019</i>  |
| <i>Bradford Hill</i>            | <i>4th Essex</i>                      | <i>2/1/2019</i>  |
| <i>Chynah Tyler</i>             | <i>7th Suffolk</i>                    | <i>2/1/2019</i>  |
| <i>Danielle W. Gregoire</i>     | <i>4th Middlesex</i>                  | <i>2/1/2019</i>  |
| <i>Joseph A. Boncore</i>        | <i>First Suffolk and Middlesex</i>    | <i>2/1/2019</i>  |
| <i>William J. Driscoll, Jr.</i> | <i>7th Norfolk</i>                    | <i>2/1/2019</i>  |
| <i>David Allen Robertson</i>    | <i>19th Middlesex</i>                 | <i>2/1/2019</i>  |

**HOUSE . . . . . No. 2463**

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By Ms. Ferrante of Gloucester, a petition (accompanied by bill, House, No. 2463) of Ann-Margaret Ferrante and others relative to community preservation revenue. Revenue.

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

An Act to preserve community preservation revenue.

*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 8 of chapter 44B is hereby amended by striking it in its entirety and  
2 inserting in place thereof the following:

3           Section 8. (a) Except as otherwise provided, the fees of the registers of deeds to be paid  
4 when a document or instrument is recorded shall be subject to a surcharge of \$75; provided,  
5 however, that if the document or instrument to be filed includes multiple references to a  
6 document or instrument intending or attempting to assign, discharge, release, partially release,  
7 subordinate or notice any other document or instrument, each reference shall be separately  
8 indexed and separately assessed an additional \$75 surcharge. The fee for recording a municipal  
9 lien certificate shall be subject to a surcharge of \$35; provided, however, that if the certificate  
10 includes multiple references to a document or instrument intending or attempting to assign,  
11 discharge, release, partially release, subordinate or notice any other document or instrument,  
12 each reference shall be separately indexed and separately assessed an additional \$35 surcharge.  
13 The surcharges imposed shall be used for community preservation purposes. No surcharge shall

14 apply to a declaration of homestead under chapter 188 or to the filing of any subordinate  
15 mortgage extended by any public agency or quasi-public agency, including but not limited to a  
16 Commonwealth municipality or the Massachusetts Housing Partnership. No surcharge shall  
17 apply to the fees charged for additional pages, photostatic copies, abstract cards or additional  
18 square feet for the recording of plans.

19 (b) The fees of the assistant recorder, except as otherwise provided, to be paid when the  
20 instrument is left for registering, filing or entering with respect to registered land shall be subject  
21 to a surcharge of \$75. The fees for so registering, filing or entering a municipal lien certificate  
22 shall be subject to a surcharge of \$35. The surcharges shall be imposed for the purposes of  
23 community preservation. No surcharge shall apply to a declaration of homestead under chapter  
24 188 or to the filing of any subordinate mortgage extended by any public agency or quasi-public  
25 agency, including but not limited to a Commonwealth municipality or the Massachusetts  
26 Housing Partnership. No surcharge shall apply to the fees charged for additional lots shown on  
27 plans, for indexing instruments recorded while a petition for registering is pending, for additional  
28 certificates of sewer assessments, for old age assistance liens, for duplicates and for photocopies.

29 (c) All surcharges on fees collected pursuant to this section shall be forwarded to the  
30 Massachusetts Community Preservation Trust Fund, established in section 9.

31 SECTION 2: The commissioner of revenue shall provide notification to the registers of  
32 deeds, the assistant recorders and the joint committee on revenue that the new surcharge amounts  
33 established under Section 1 shall take effect 120 days following the passage of this section. All  
34 documents received by the registers of deeds and assistant recorders prior to the effective date

- 35 shall be subject to the fee surcharge applicable to section 8 of chapter 44B of the General Laws
- 36 that was in effect prior to that date.