The Commonwealth of Massachusetts

PRESENTED BY:

Mike Connolly

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 providing for an extension of the COVID-19 eviction and foreclosure moratorium.

PETITION OF:

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<th>DISTRICT/ADDRESS:</th>
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<td>Mike Connolly</td>
<td>26th Middlesex</td>
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An Act providing for an extension of the COVID-19 eviction and foreclosure moratorium.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith an extension of the COVID-19 eviction and foreclosure moratorium, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

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

1 Purpose. The purpose of this act is to extend the Commonwealth’s eviction and foreclosure moratorium law pending further legislative action on H.5018, An Act to guarantee housing stability during the COVID-19 emergency and recovery (“the COVID-19 Housing Stability Act”) and to allow for certain components of the Governor’s so-called “Eviction Diversion Initiative” to become fully operational, such as legal representation, community mediation, and public education relative to the rights and resources available to tenants, homeowners, and landlords.

8 General Court Findings. The general court hereby finds and declares that the COVID-19 public health emergency has been worsening over the past several months, with the Department of Public Health reporting on October 14, 2020 that the statewide rate of average
daily cases was 8.7 per 100,000 residents in the last two weeks, meaning the Commonwealth as a whole is now considered to be “high risk” for spread of COVID-19, a deadly and highly contagious disease. It was also reported on October 14, 2020 that the Chief Justice of the Trial Court sees the potential for up to 200,000 evictions once this act is allowed to expire. Public health experts have warned that the expiration of this act at this time, and the numerous formal and informal evictions that will result, will likely lead to significant additional spread of disease and death, particularly for working class residents, undocumented immigrants, and People of Color.

Chapter 65 of the acts of 2020 is hereby amended by striking out sections 6 and 7 and inserting in place thereof the following 3 sections:

SECTION 6. Sections 3 and section 4 shall expire on January 1, 2021 or 45 days after the COVID-19 emergency declaration has been lifted, whichever is sooner; provided, however, that the governor may postpone such expiration in increments of not more than 90 days; provided further, that the governor shall not postpone such expiration to later than 45 days after the COVID-19 emergency declaration has been lifted; and provided further, that any deadline or time period for action that is tolled under subsection (c) of said section 3 shall begin to run upon the expiration of said section 3.

SECTION 7. Subsection (a) of section 5 shall expire on January 1, 2021 or 45 days after the COVID-19 emergency declaration has been lifted, whichever is sooner; provided, however, that the governor may postpone such expiration in increments of not more than 90 days; provided further, that the governor shall not postpone such expiration to later than 45 days after the COVID-19 emergency declaration has been lifted.
SECTION 7A. Sections 6 and 7 shall take effect on October 17, 2020.