

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 promote financial stability.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>4/9/2020</i>
<i>Dean A. Tran</i>	<i>Worcester and Middlesex</i>	<i>4/14/2020</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>4/14/2020</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>4/22/2020</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>4/22/2020</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>4/22/2020</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>	<i>4/22/2020</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>4/22/2020</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>4/22/2020</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>4/22/2020</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>4/22/2020</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>4/22/2020</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>4/23/2020</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>4/23/2020</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>4/24/2020</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>4/24/2020</i>

Mathew J. Muratore

1st Plymouth

4/24/2020

John F. Keenan

Norfolk and Plymouth

4/27/2020

SENATE No.

By Mr. Tarr, a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr and Anne M. Gobi for legislation to promote financial stability. Financial Services.

The Commonwealth of Massachusetts

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

An Act to promote financial stability.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain changes in law in response to a public health emergency, each of which is immediately necessary to carry out to accomplish important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience., therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Notwithstanding any law, rule, or regulation, mortgages of residential and
2 commercial property which provides rental income that in whole or in part supports that payment
3 of mortgage obligations shall provide forbearance relative to such obligations for the duration of
4 the outbreak of the 2019 novel coronavirus, also known as COVID-19, and the governor’s March
5 10, 2020 declaration of a state of emergency plus thirty days after the conclusion of the
6 governor’s March 10, 2020 declaration of a state of emergency, if and to the extent the
7 provisions of this act are met.

8 SECTION 2. In order to be eligible for the forbearance prescribed in section 1, a
9 mortgagor shall demonstrate that more than fifty percent of rental income from the property

10 secured by the subject mortgage has not been received as a result of the public health emergency
11 caused by the COVID-19 virus. Said demonstration shall be in a written affidavit which shall
12 attest, under the pains and penalties of perjury, to the amount of rent required by an existing
13 lease or other rental agreement, and any amounts received and/or projected to be received during
14 the period for which forbearance is being sought. A copy of such lease or agreement shall be
15 attached to said affidavit.

16 SECTION 3. Any forbearance provided pursuant to this act shall not, give rise to a
17 subsequent assessment of interest, penalties, or other similar assessments, and shall not be
18 subject to state taxation.

19 SECTION 4. The commissioner of banks to the extent feasible and practicable in
20 facilitating the timely implementation of this act, may develop and promulgate standardized
21 forms for the written documentation required in section 2; provided, however, that the absence of
22 such forms shall not render the provisions of this act inoperable.

23 SECTION 5. The provisions of this act shall expire, unless otherwise extended, modified,
24 or terminated, 30 days following the expiration of the governor's March 10, 2020 declaration of
25 a state of emergency or any extension thereof or 90 days following the passage of this act,
26 whichever is sooner.