

**HOUSE . . . . . No. 2142**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Peter Capano*

*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 foreclosures.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Peter Capano</i>	<i>11th Essex</i>	<i>1/28/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/22/2021</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>2/24/2021</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>3/5/2021</i>

**HOUSE . . . . . No. 2142**

By Mr. Capano of Lynn, a petition (accompanied by bill, House, No. 2142) of Peter Capano and others relative to municipal authority regarding foreclosures. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1767 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act clarifying municipal authority regarding 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, preventing unnecessary displacement of residents, preventing unnecessary

- 10 post-foreclosure evictions and vacancies, and ensuring the upkeep of vacant properties and those
- 11 in foreclosure.