

HOUSE No. 2204

The Commonwealth of Massachusetts

PRESENTED BY:

Alan Silvia

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 requiring a performance bond prior to demolition.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|--------------------|--------------------|------------------|
| <i>Alan Silvia</i> | <i>7th Bristol</i> | <i>1/21/2021</i> |

HOUSE No. 2204

By Mr. Silvia of Fall River, a petition (accompanied by bill, House, No. 2204) of Alan Silvia for legislation to authorize cities and towns to require performance bonds prior to the demolition, renovation, rehabilitation or other alterations of buildings or other structures. Municipalities and Regional Government.

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

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act requiring a performance bond prior to demolition.

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 54 of chapter 40 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by inserting after the first paragraph the following paragraph:-

3 Prior to the issuance of a permit or license for: (1) the demolition, renovation,
4 rehabilitation or other alteration of a building or other structure; and (2) the removal of debris
5 from the resulting from such demolition, renovation, rehabilitation or alteration; a person
6 performing such demolition, renovation, rehabilitation, alteration or removal shall furnish the
7 municipality granting the permit a performance bond in such amounts as the city or town deems
8 necessary in order to insure the faithful performance of such work and observance of, and
9 compliance with, the environmental laws and regulations of the commonwealth whereby a

10 requisite financial responsibility is imposed on such applicant or recipient of the demolition or
11 other construction permit in order to insure recourse for the financial harm sustained by reason of
12 any such failure to comply with the environmental protection laws of the commonwealth. For the
13 purposes of this section the term "performance bond" means an approved form of security that
14 guarantees the applicant's complete compliance with provisions of this paragraph and the term
15 "person" shall mean any association, corporation, limited liability company, fiduciary,
16 individual, joint venture, partnership, sole proprietorship or any other legal entity.