

HOUSE No. 742

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin G. Honan

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 the classification of assisted living residences.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------|---------------------|------------------|
| <i>Kevin G. Honan</i> | <i>17th Suffolk</i> | <i>1/28/2021</i> |

HOUSE No. 742

By Mr. Honan of Boston, a petition (accompanied by bill, House, No. 742) of Kevin G. Honan relative to the classification of assisted living residences. Elder Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4063 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act clarifying the classification of assisted living residences.

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. Whereas, assisted living residences were created to provide comprehensive
2 services to the elderly population; and

3 Whereas, agreements as defined in this chapter are not and were never intended to create
4 residential tenancies within landlord tenant law; and

5 Whereas, assisted living residences are not and were never intended to be residential or
6 commercial landlords within landlord tenant law.

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

9 Section 18 of chapter 19D of the General Laws, as appearing in the 2018 edition, is
10 hereby amended by inserting after subsection (d) the following subsection:-

11 (e) For the purposes of this chapter, and any other general or special law, assisted living
12 residences certified under this chapter shall not be subject to the provisions of chapter one
13 hundred and eighty-six or chapter two hundred and thirty-nine except insofar as set forth in
14 section nine (a)(18) of this chapter.

15 SECTION 2. This act shall become effective on January 15, 1995.