

SENATE No. 402

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 relative to emergency lighting in senior housing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>5/21/2021</i>

SENATE No. 402

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 402) of James B. Eldridge for legislation relative to emergency lighting in senior housing. Elder Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2414 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act relative to emergency lighting in senior housing.

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 72 of Chapter 111 of the Massachusetts General Laws, as so
2 appearing in the 2016 Official Edition, is hereby amended by inserting the following section:-

3 Section 72CC – senior housing facilities; lighting

4 (a) All senior housing facilities financed or subsidized by state or federal housing
5 programs shall provide an emergency lighting system for residents' rooms to supply emergency
6 lighting for a period of at least one and one half hours. The emergency lighting unit may be hard-
7 wired or plug in. The building's managing authority shall maintain the emergency lighting unit
8 in proper working order and shall inspect it at least annually.

(b) The department of public health shall make such rules and regulations as may be necessary to carry out the provisions of this section, and shall set standards of lighting for senior housing facilities.

(c) The department or its agents and the board of health and its agents of the city or town where the senior housing is located may inspect such facility at any time to ascertain that functioning power outage lights are present in every unit and notify building management of the lack thereof.

SECTION 2. Section 72 of said chapter, as so appearing, is further amended by inserting the following section:-

Section 72DD – senior housing facilities; notice of violations; plan of correction; penalties; enforcement

(a) The department shall, after every inspection by its agent, give the managing authority of the inspected facility notice in writing of every violation of the applicable rules and regulations of the department found upon said inspection.

(b) The managing authority of the premises shall repair or replace non-functioning emergency lights within sixty days.

(c) The department may modify any nonconforming plan upon notice in writing to the licensee. Failure to remedy or correct a cited violation by the date specified in a written notice or failure to remedy or correct a cited violation by the date specified in a plan for correction as accepted or modified by the department, as the case may be, shall be cause for civil fine as may be imposed upon the licensee after complaint.

30 SECTION 3. The provisions of this act shall become effective 90 days from the passage
31 of this act.