HOUSE DOCKET, NO. 2505 FILED ON: 1/19/2023

HOUSE . . . . . No. 1367

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers and Samantha Montaño

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 maintain stable housing for families with pets in an economic crisis and beyond.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
David M. Rogers	*24th Middlesex*	*1/19/2023*
Samantha Montaño	*15th Suffolk*	*1/19/2023*
Jack Patrick Lewis	*7th Middlesex*	*1/25/2023*
Lindsay N. Sabadosa	*1st Hampshire*	*2/3/2023*
John Barrett, III	*1st Berkshire*	*2/3/2023*
Natalie M. Higgins	*4th Worcester*	*2/6/2023*
Angelo J. Puppolo, Jr.	*12th Hampden*	*2/6/2023*
David Henry Argosky LeBoeuf	*17th Worcester*	*2/6/2023*
James K. Hawkins	*2nd Bristol*	*2/7/2023*
Christine P. Barber	*34th Middlesex*	*2/9/2023*
Thomas M. Stanley	*9th Middlesex*	*2/10/2023*
Patrick M. O'Connor	*First Plymouth and Norfolk*	*2/15/2023*
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*3/14/2023*
Kevin G. Honan	*17th Suffolk*	*3/14/2023*
Michael O. Moore	*Second Worcester*	*3/15/2023*
Marjorie C. Decker	*25th Middlesex*	*5/2/2023*
Mike Connolly	*26th Middlesex*	*6/7/2023*
Danielle W. Gregoire	*4th Middlesex*	*9/19/2023*

Carol A. Doherty	*3rd Bristol*	*10/2/2023*
Tram T. Nguyen	*18th Essex*	*10/2/2023*
Steven Owens	*29th Middlesex*	*11/1/2023*
Shirley B. Arriaga	*8th Hampden*	*2/6/2024*

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By Representatives Rogers of Cambridge and Montaño of Boston, a petition (accompanied by bill, House, No. 1367) of David M. Rogers, Samantha Montaño and others relative to the rights of certain families with pets. Housing.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act to maintain stable housing for families with pets in an economic crisis and beyond.

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

SECTION 1. Notwithstanding chapter 186 or 239 of the General Laws or any general or special law, rule, regulation or order to the contrary, no landlord shall initiate action to evict any person from a residential dwelling unit who has a pet without written permission based solely on the presence of the pet until one year after a state of emergency, unless the presence of pets is causing harm to the safety of other residents.

SECTION 2. No hotel, as defined in section 14 of chapter 140 shall unreasonably refuse to allow pets, unless the pet has caused a demonstrated noise or safety threat, during a state of emergency.

SECTION 3. Section 12 of Chapter 183A of the General Laws is hereby amended by inserting after the words “master deed”, in subsection (d), the following words:- However, no provision in the declaration, bylaws or rules and regulations of the organization of unit owners shall prohibit the keeping of certain types of dogs based on breed, size, weight or appearance.

SECTION 4. Section 3 of Chapter 23B of the General Laws is hereby amended by inserting after the second use of the word “elderly” under part “(u)” the following words:- , provided that no regulation, rule or policy shall prohibit the keeping of dogs based on the dog’s breed, size, weight or appearance.

SECTION 5. Section 3 of Chapter 23B of the General Laws is hereby further amended by inserting the following new subsection:- (w) establish, conduct and maintain a program of pet ownership by residents of state-aided public housing, provided that no regulation, rule or policy shall prohibit the keeping of dogs based on the dog’s breed, size, weight or appearance.

SECTION 6. Chapter 175 of the General Laws is hereby amended by adding the following section:

Section 231. An insurance company offering homeowners insurance coverage or renters insurance coverage that issues a policy or contract insuring against liability for injury to a person or injury to or destruction of property arising out of the ownership or lease of residential property shall not refuse to issue, renew, cancel, or charge or impose an increased premium or rate of such a policy or contract based in whole or in part upon the harboring of a specific breed of the dog upon the property.

An insurance company may not ask or inquire about the breed or mixture of breeds of a dog that is harbored or owner on an applicable property except to ask if the dog is known to be dangerous or has been designated a dangerous dog pursuant to law.

Nothing in this section shall prohibit an insurer from refusing to issue or renew or from canceling a contract or policy or from imposing an increased premium or rate for a policy or

contract if any dog being harbored on the property has been designated as a dangerous dog pursuant to law.

SECTION 7. Section 32 of Chapter 121B of the General Laws is hereby amended by inserting the following new paragraph after subsection (i):- In determining whether an applicant is eligible for tenancy in a property or if a current tenant can remain in a property, no property owned, managed or operated by an authority may make such a determination based on the breed, size, weight or appearance of a dog owned or cared for by the applicant or household member.