

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Frank A. Moran***

*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 protecting titles to real estate in Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>1/17/2025</i>

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

[Pin Slip]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act protecting titles to real estate in Massachusetts.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to reverse the impact of structural racism in the illegal lending and taking of title to property and myriad associated damages and to end the lengthy delay of justice that thus far has meant justice denied. , therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1           Whereas, the deferred operation of this act would tend to defeat its purpose, which is like  
2 that of the first true Massachusetts recording act, “For avoiding all fraudulent conveyances, and  
3 that every man may know what estate or other interest other men may have in any houses, lands,  
4 or other hereditaments they are to deal in...” 1 Mass. Colonial Records 306 (1640); including to  
5 facilitate the accurate determination of title to real estate in the commonwealth; to enable every  
6 homeowner with a mortgage on real property to know at all times who holds the mortgage and  
7 who owns the mortgage note; to enable municipalities to know who is liable for real estate taxes  
8 and other charges pertaining to properties; to provide certain foreclosure-related criminal  
9 provisions, and to re-establish the settled meanings of certain terms defined herein; therefore, it is

10 hereby declared to be an emergency law, necessary for the immediate preservation of the public  
11 convenience.

12 SECTION 1. (a) This Act may be cited as the “real estate title protection act.”

13 (b) Where not explicitly specified, this Act shall be construed to apply to both registered  
14 and recorded land.

15 (c) Where a provision of this Act conflicts with any other provision of the General Laws  
16 or the deed indexing standards, this Act shall supersede that other provision or those standards.

17 SECTION 2. For the purposes of this Act, the following terms shall have the following  
18 meanings:

19 “Affidavit”, a document made on personal knowledge or that meets the requirements of  
20 the business records exception to the rule against hearsay, Rule 803(6), Federal and  
21 Massachusetts Rules of Evidence, “Records of a Regularly Conducted Activity.” It shall set forth  
22 such facts as would be admissible in evidence, and shall show affirmatively that the affiant is  
23 competent to testify to the matters stated therein. If it relies on the business records exception,  
24 the affidavit shall have attached to it sworn or certified copies of all documents or relevant  
25 excerpts thereof to which the affidavit refers. Each such excerpt must be in the form of a true and  
26 accurate photocopy of the entirety of the page or pages from which such an excerpt is taken, and  
27 must include complete and accurate photocopies of the document’s title page and table of  
28 contents, if applicable. Each complete page from which any such excerpt or part thereof is taken  
29 shall bear already-existing indicia evidencing that said page is from the document whose title  
30 page and table of contents, if applicable, are appended, or else shall bear already-existing indicia  
31 evidencing the source of each such page.

32           “Assignment of mortgage”, an instrument by which a mortgagee or holder of a mortgage  
33 of real property conveys such a mortgage deed to an assignee pursuant to the Statute of Frauds,  
34 section 1 of chapter 259 and section 1 of chapter 203 of the General Laws; section 6 of chapter  
35 183; and other provisions of the General Laws applicable to a transfer of interest in real property.

36           “Authorized person”, a person authorized to act on behalf of another person as of the date  
37 of execution of an instrument that can affect title to real property, signed by the person on whose  
38 behalf the person authorized thereby is acting.

39           “Deed indexing standards”, standards for indexing documents to be recorded in the  
40 registries of deeds, as issued by the Massachusetts Registers and Assistant Registers of Deeds  
41 Association and revised from time to time.

42           “Discharge”, a duly executed and acknowledged deed of release of a mortgage of real  
43 property or other instrument that, by its terms, discharges or releases such a mortgage, or  
44 acknowledges payment or satisfaction of the debt or obligation secured by such a mortgage or  
45 the conditions contained therein; or the discharge of such a mortgage by operation of law  
46 pursuant to the General Laws, including section 33 of Chapter 260.

47           “Lender”, the entity(ies) who provided the funds for the mortgage directly, loan through a  
48 line of credit, or by any other means

49           “Mortgage”, a conveyance, to a lender, of legal title to real property, in consideration of a  
50 loan whose repayment is secured by the terms and conditions of a security instrument including  
51 in accord with sections 18 & 19 of Chapter 183.

52           “Mortgagee” or “mortgage holder”, a person who has invested funds or other  
53 consideration to hold legal title to real property upon which a mortgage is granted, and who is  
54 named as such in the mortgage or any assignment thereof.

55           “Mortgagee of Record”, a “mortgagee” or “mortgage holder” so identified in an  
56 instrument that thereafter was recorded.

57           “Mortgage servicer” or “servicer”, the person legally authorized by the mortgagee and in  
58 compliance with all applicable law for servicing the mortgage loan.

59           “Mortgage servicing” or “servicing”, the receiving of any scheduled periodic payments  
60 from a mortgagor pursuant to the terms of any mortgage loan, the making of the payments of  
61 principal and interest and such other payments with respect to the amounts received from the  
62 mortgagor as may be required pursuant to the terms of such loan, and the provision of a written  
63 payoff statement with respect to the mortgage loan pursuant to section 54D of chapter 184.

64           “Mortgage statement”, a periodic statement that a mortgagee of residential real property  
65 or its authorized mortgage servicer is required to send regularly to a mortgagor, stating the  
66 amount of the mortgage payment then due; the loan balance; the names and contact information,  
67 including an address and toll-free telephone number, for the current (i) mortgagee, with the date  
68 as of which it became the mortgagee; (ii) note owner, with the date as of which it became the  
69 note owner, and (iii) mortgage servicer, if any, with the date as of which it became the servicer.

70           “Mortgagor”, a grantor of a mortgage originated in compliance with existing statutory  
71 and regulatory interpretation.

72 “Mortgage Note”, a promissory note, bearing the original signature of the mortgagor,  
73 promising to pay the lender, or any successor who is entitled to enforce the mortgage note, and  
74 specifying the requirements for the repayment of the debt including the amount, interest and  
75 charges.

76 “Note Owner”, the lender or a transferee of the note, who is entitled to receive payments  
77 under and to enforce the note.

78 “Register”, the register of deeds for the county or district within which the subject land  
79 lies.

80 “Residential real property”, a 1 to 6 family residential property located in the  
81 commonwealth.

82 SECTION 3. Attorney General to notify registers of deeds of legal developments

83 Chapter 12 of General Laws is hereby amended by adding the following section:-

84 Section 34. At the end of each session of the general court, and whenever otherwise  
85 appropriate, the Attorney General shall promptly notify the registers of statutes, regulations, and  
86 decisions of courts that may affect their responsibilities or operations.

87 SECTION 4A. Recordation of assignments of mortgage, affidavits of sale, foreclosure  
88 deeds

89 Section 12A of chapter 36 of General Laws is hereby amended by adding the following  
90 ten subsections:-

91 (a) A register shall not record any instrument, executed after the effective date of this act,  
92 unless its heading (i) is in 12 point (pica) or larger bolded font, (ii) indicates the type of  
93 instrument, and (iii) briefly indicates the instrument's purpose or contents.

94 (b) A register shall not record any assignment of mortgage that is presented later than  
95 thirty (30) days after its date of execution, unless the said assignment of mortgage is recorded  
96 with an affidavit showing good cause for filing late, or with a certified copy of an order of a  
97 court finding that recordation after this thirty (30) day limit is warranted in the interests of  
98 justice.

99 (c) A register shall not record an assignment of mortgage executed before the effective  
100 date of this Act, but not recorded as of that date, unless presented to the appropriate registry of  
101 deeds within ninety (90) days of this Act's effective date, except that the Federal National  
102 Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National  
103 Mortgage Association, the U.S. Department of Housing and Human Development, and the U.S.  
104 Department of Agriculture may present such assignments of mortgage for recording up to one  
105 hundred eighty (180) days from the effective date of this Act.

106 (d) Where an assignment of a mortgage or other instrument of conveyance is to a  
107 securitized trust or other investment vehicle, a certified copy of that trust or other investment  
108 vehicle's founding instrument must be:

109 Recorded prior to the assignment of mortgage, or other instrument of conveyance  
110 identified on the assignment by book and page or document number in the subject  
111 registry

112 identified on the assignment as being available in a particular location elsewhere in the  
113 public record.

114 (e) A register shall not record a discharge of a mortgage of real property unless it is:

115 (i) issued by the mortgagee and identifies the present note owner, and

116 (ii) recorded, with a certified copy of the original wet-ink mortgage note in its present  
117 condition, demonstrating that all allonges are affixed, and marked “paid in full,” with the date of  
118 satisfaction of the mortgage loan.

119 (f) A register shall record an affidavit of sale pursuant to section 14 of chapter 244, only  
120 if it is recorded with (i) a certified copy of the notice to mortgagor of right to cure default of  
121 mortgage pursuant to section 35A of chapter 244, (ii) a certified copy of the original wet-ink  
122 mortgage note in its present condition, demonstrating that all allonges are affixed, and (iii) a  
123 copy of the Notice of Sale to the mortgagor(s) in compliance with 209 CMR 18.24 or any  
124 successor regulation.

125 (g) A register shall not record a foreclosure deed if it is presented more than sixty (60)  
126 days after the date of foreclosure, unless it is recorded with an affidavit on personal knowledge  
127 showing good cause for filing late, or by a certified copy of an order of a court finding that  
128 recordation after this sixty (60) day limit is warranted in the interests of justice.

129 (h) A register shall not record any foreclosure deed relative to a foreclosure occurring  
130 before the effective date of this Act, unless it is presented for recording to the appropriate  
131 registry of deeds within ninety (90) days of this Act’s effective date and demonstrates  
132 compliance with sections 12 and 13 of Chapter 244.



133 (i) The Division of Banks shall promptly inform all persons licensed in the  
134 commonwealth to lend funds upon mortgages, as well as the Federal National Mortgage  
135 Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage  
136 Association, the U.S. Department of Housing and Human Development, and the U.S.  
137 Department of Agriculture, of the provisions of this Act.

138 SECTION 4B: Conformance of Notary provisions with Alienation of Land provisions:

139 Section 8 of Chapter 222 of the General Laws, as appearing in the 2016 Official Edition,  
140 is hereby amended by striking out of subsection (b) the sentence “Failure to comply with this  
141 section shall not affect the validity of any instrument or the record thereof” and replacing it with  
142 “Failure to comply with this section shall not affect the validity of any instrument”.

143 Section 20 of Chapter 222 of the General Laws, is hereby amended by striking out  
144 subsection (b) in its entirety and replacing it with

145 “(b) Except as may be required by the Office of the Secretary of the Commonwealth for  
146 the issuance of an apostille, or as may be required by a register of deeds for the purpose of  
147 recordation or registration, and provided the form of acknowledgement, jurat, signature  
148 witnessing, or copy certification otherwise is substantially similar in legal meaning and effect to  
149 the texts of the several such forms set forth in this chapter or in the appendix to Chapter 183:

150 (i) failure of a document to contain the forms of acknowledgment, jurat, signature  
151 witnessing or copy certification set forth in section 15 or otherwise to comply with the  
152 requirements set forth in sections 8 to 23, inclusive, shall not have any effect on the validity of  
153 the underlying document;

154 (ii) failure of a document to contain the forms of acknowledgement, jurat, signature  
155 witnessing or copy certification set forth in said section 15 shall not be the basis of a refusal to  
156 accept the document for filing, or acceptance by a third party; and

157 (iii) failure of a document executed in a representative capacity to contain an  
158 acknowledgement that the instrument was also the voluntary or free act and deed of the principal  
159 or guarantor shall not affect the validity of the underlying document.”

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171 the texts of the several such forms set forth in this chapter or in the appendix to Chapter 183:

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175 the underlying document;

176 (ii) failure of a document to contain the forms of acknowledgement, jurat, signature  
177 witnessing or copy certification set forth in said section 15 shall not be the basis of a refusal to  
178 accept the document for filing, or acceptance by a third party; and

179 (iii) failure of a document executed in a representative capacity to contain an  
180 acknowledgement that the instrument was also the voluntary or free act and deed of the principal  
181 or guarantor shall not affect the validity of the underlying document.”

#### 182 SECTION 5. Homeowners’ mortgage statements

183 Chapter 183 of General Laws, as appearing in the 2014 Official Edition, is hereby  
184 amended by inserting after section 54D the following section:-

185 “Mortgage statement”, a periodic statement that a mortgagee of residential real property  
186 or its authorized mortgage servicer sends to a mortgagor, stating the amount of the mortgage  
187 payment then due; the loan balance; the names and contact information, including an address and  
188 toll-free telephone number, for the current (i) mortgagee, with the date as of which it became the  
189 mortgagee; (ii) note owner, with the date as of which it became the note owner, and (iii)  
190 mortgage servicer, if any, with the date as of which it became the servicer.

191 Section 54E. (a) Each mortgage statement concerning a mortgage of residential real  
192 property shall provide the names and contact information, including an address and toll-free  
193 telephone number, for the current (i) mortgagee, with the date as of which it became the

194 mortgagee; (ii) note owner, with the date as of which it became the note owner, and (iii)  
195 mortgage servicer, if any, with the date as of which it became the servicer.

196 (b) Each such mortgage statement shall identify the mortgage servicer, if any, as “the  
197 company that you pay,” or shall use other language sufficient to indicate the function(s) that a  
198 mortgage servicer performs.

199 (c) All information on each such mortgage statement shall be accurate and current as of  
200 the date on which the statement is transmitted including compliance with the regulatory  
201 requirements of 940 CMR 7, especially section 7.07 (16) and (24) and 7.08.

202 (d) Failure to comply with this section shall be an unfair or deceptive practice under  
203 section two of chapter 93A, and shall render a mortgagee or mortgage servicer liable to the  
204 mortgagor in the amount of at least \$2,500 for each such violation, plus damages and reasonable  
205 attorney’s fees under subsection four of section nine of said chapter 93A.

206 (e) The amount of at least \$2,500 for each violation of subsection (d) shall annually, on  
207 January 1, be adjusted in accordance with the consumer price index as defined in section one of  
208 the Internal Revenue Code.

209 SECTION 6. Payoff of mortgage loan: return cancelled note to mortgagor

210 Section 55 of chapter 183 of General Laws is hereby amended by adding at the end  
211 thereof the following three subsections:-

212 (l) When the mortgage loan has been paid in full, the note owner shall identify itself as  
213 such through affidavit or similar and, within twenty (20) days of such payment, cause to be sent

214 to the mortgagor the original wet-ink note in its present condition with all allonges affixed, and  
215 marked "Paid in Full," with the date of satisfaction of the mortgage loan.

216 (m) Failure to comply with this section shall be an unfair or deceptive practice under  
217 section 2 of chapter 93A, and shall render a mortgagee or mortgage servicer liable to the  
218 mortgagor in the amount of at least \$2,500 for each such violation, plus damages and reasonable  
219 attorney's fees under subsection (4) of section 9 of said chapter 93A.

220 (n) The amount of \$2,500 for each violation of subsection (m) shall annually, on January  
221 1, be adjusted in accordance with the consumer price index as defined in section one of the  
222 Internal Revenue Code.

223 SECTION 7. Repeal of foreclosure by entry and possession.

224 Section 70 of chapter 185 of the General Laws, as appearing in the 2014 Official Edition,  
225 is hereby amended by striking out the words "; but in case of foreclosure by entry and  
226 possession, the certificate of entry required by section 2 of chapter 244 shall be filed and  
227 registered by an assistant recorder in lieu of recording." and by striking out the words "After  
228 possession has been obtained by the mortgagee or his assigns, by entry or by action, and has  
229 continued for the time required by law to complete the foreclosure, he or his assigns may request  
230 the land court for the entry of a new certificate, and the court, after notice to all parties in  
231 interest, shall have jurisdiction to hear the case, and may order the entry of a new certificate on  
232 such terms as equity and justice may require."

233 The provisions of Section 1 of chapter 244 of the General Laws, as so appearing, are  
234 hereby declared in effect until the date of the enactment of this Act.

235           “Section 1. A mortgagee may, after breach of condition of a mortgage of land, recover  
236 possession of the land mortgaged by an open and peaceable entry thereon, if not opposed by the  
237 mortgagor or other person claiming it, or by action under this chapter; and possession so  
238 obtained, if continued peaceably for three years from the date of recording of the memorandum  
239 or certificate as provided in section two, shall forever foreclose the right of redemption.

240           After the date of the enactment of this Act, the following shall be in effect:

241           “Section 1. A mortgagee may, after breach of condition of a mortgage of land, recover  
242 possession of the land mortgaged by action under this chapter.”

243           Said chapter 244 of General Laws is hereby further amended by striking out section 2 and  
244 inserting in place thereof the following section:-

245           Section 2. Possession obtained by means of any entry under previous section 1 of Chapter  
246 244, or under section 70 of chapter 185, as to which a memorandum or certificate was recorded  
247 fewer than three years before the effective date of this act, shall never foreclose the right of  
248 redemption.

249           Section 8 of said chapter 244, as so appearing, is hereby amended by striking out the first  
250 sentence and inserting in place thereof the following sentence:- “The action may be brought by  
251 an assignee of the mortgagee”

252           Sections 9 and 10 of chapter 244 are hereby repealed.

253           SECTION 8. Notice to municipality by mortgagee taking possession, conveying title

254           Section 15A of said Chapter 244 is hereby amended by making existing text into  
255 subsection 15A(a) and adding the following four paragraphs:-

256 (b) The assessor or collector of taxes shall accept such a notice only if accompanied by (i)  
257 a certification, on personal knowledge and under the pains and penalties of perjury, that the  
258 mortgagee has caused to be made all other notifications required by this section and (ii) a fine of  
259 \$100 per day for each day beyond the day by which the mortgagee was required to have made  
260 such notice to the municipality.

261 (c) The assessor or collector of taxes shall retain one-half of each such fine for the  
262 municipality. He or she shall promptly forward one-half of each such fine as revenue to the  
263 treasurer of the county, if the municipality is located in a county, or if not, to the treasurer of the  
264 commonwealth, as revenue for deposit in the general fund.

265 (d) If a mortgagee has taken possession of a property on or before the effective date of  
266 this act, but has not made the notifications required by section 15A of chapter 244, this fine shall  
267 become applicable as of thirty (30) days after the effective date of this act.

268 (e) The Commissioner of the Department of Revenue of the commonwealth shall  
269 promptly notify all municipalities in the commonwealth of the provisions of Section 12.

270 SECTION 9. Repeal legislative determination of weight of evidence

271 Section 35B (f) and section 35C (b) of said chapter 244, as so appearing, are hereby  
272 amended by striking out the word “conclusive” where it appears in the second paragraph of  
273 section 35B (f), between “this section shall be” and “evidence in favor of”, and in the second  
274 paragraph of Section 35C(b), where it appears between “this subsection shall be” and “evidence  
275 in favor of....”

276 SECTION 10. Creditor actions; mortgagee's affidavit; assignments of mortgage; service  
277 members' civil relief act proceedings

278 Said section 35C of said chapter 244, as so appearing, is hereby further amended in  
279 subsection (a), by striking out the words "Mortgage Electronic Registration System or"; and in  
280 subsection (b), by striking out the words "Prior to publishing a notice of a foreclosure sale, as  
281 required by section 14" and replacing them with "Prior to instituting a proceeding in land court  
282 or superior court pursuant to the service members' civil relief act and again prior to publishing a  
283 notice of foreclosure sale as required by section 14 ,"

284 Said section 35C of said chapter 244, as so appearing, is hereby further amended by  
285 adding the following four subsections:-

286 (i) For each certified copy of a document appended to the affidavit required in subsection  
287 (b), the affidavit shall provide the name and contact information of the document custodian of  
288 the original document, or shall identify the document by book and page or document number as  
289 recorded in the registry of deeds for the county or district in which the land lies.

290 (j) Land court and superior court shall proceed with have jurisdiction in a service  
291 members' civil relief case only (1) upon the filing of a mortgagee's affidavit as required in  
292 subsection (b); (2) if all assignments of mortgage cited in and appended to that affidavit, whether  
293 original or certified copies, have been duly recorded in the registry of deeds for the county or  
294 district within which the land lies; and (3), where the note owner is different from the mortgagee,  
295 the mortgagee has filed a certified copy of the agency agreement or other instrument authorizing  
296 the mortgagee to institute that proceeding.



297 (k) In a service members civil relief case, where the defendant(s) are not in active service,  
298 the Land court or Superior Court shall accept documentary evidence from all defendants only as  
299 to the chain of title and ownership of the Note and mortgage.

300 (l) Failure to comply with this section shall be an unfair or deceptive practice under  
301 section 2 of chapter 93A, and shall render a mortgagee or mortgage servicer liable to the  
302 mortgagor in the amount of \$2,500 for each such violation, plus damages and reasonable  
303 attorney's fees under subsection (4) of section 9 of said chapter 93A.

304 (m) The amount of \$2,500 for each violation of subsection (e) shall annually, on January  
305 1, be adjusted in accordance with the consumer price index as defined in section 1 of the Internal  
306 Revenue Code.

307 SECTION 11. False material statements or omissions during or in connection with  
308 mortgage loan process; penalties; statute of limitations; Attorney General reports

309 Section 35A of chapter 266 of General Laws is hereby amended, in subsection (a) by  
310 deleting "4" in the definition of "Residential mortgage loan" and substituting "6"; and, in both its  
311 title and in subsection (b), by deleting the word "lending" wherever it appears and substituting  
312 the word "loan"; and is further amended in subsection (b), after "both such fine and  
313 imprisonment", by inserting the following new paragraph:-

314 Where a document including such a material statement that is false or such a material  
315 omission is used in connection with a foreclosure or attempted foreclosure, or a larceny or  
316 attempted larceny of real property whether such document is filed in a court, recorded in a  
317 registry of deeds, or otherwise uttered, punishment may include restitution to the victim(s),  
318 including the preparation and recordation at no expense to the victim(s) of whatever

319 instrument(s) might be necessary to clarify the title of the victim(s) to that property; a prohibition  
320 from doing business in the commonwealth for any term of years or permanently; or both.

321 Said section 35A of said chapter 266, as so appearing, is hereby further amended by  
322 inserting, after subsection (b), the following seven new subsections:

323 (c) Whoever executes or causes to be executed, or files or causes to be filed with any  
324 court, or presents or causes to be presented to a registry of deeds for recording or registration,  
325 whether in hard copy or by means of electronic transmission, or otherwise utters any instrument  
326 that affects title to real property, whether residential or commercial, knowing that it is fraudulent  
327 or false in any material respect including by omission, by a false or fraudulent declaration, by a  
328 false or fraudulent signature, or by a false or fraudulent notarization, shall be punished by  
329 imprisonment in the state prison for not more than 5 years or by imprisonment in the house of  
330 correction for not more than 2 and one-half years or by a fine of not more than \$50,000 in the  
331 case of a natural person or not more than \$250,000 in the case of any other person, or by both  
332 fine and imprisonment. Where such a document is used in connection with a foreclosure or  
333 attempted foreclosure, or a larceny or attempted larceny of real property, punishment may  
334 include restitution to the victim(s), including the preparation and recordation at no expense to the  
335 victim(s) of whatever instrument(s) might be necessary to clarify the title of the victim(s) to that  
336 property; a prohibition from doing business in the commonwealth for any term of years or  
337 permanently; or both.

338 (d) The statute of limitations for a violation of subsection (c) of this section shall be ten  
339 (10) years from the date of execution of the document in question, the date of its presentation to

340 a registry of deeds for recording, its date of recordation, or the date on which it was filed with or  
341 proffered in evidence in any court or otherwise uttered, whichever comes last.

342 (e) The provisions of subsections (c) and (d) of said section 35A of said chapter 266, as  
343 so appearing, shall be reproduced in 12-point (pica) bolded font, with a heading, “Criminal  
344 Liability for False or Fraudulent Documents,” in least 16-point bolded font, and shall be  
345 displayed prominently in the public area of each registry of deeds. These provisions shall also be  
346 reproduced legibly, with a legible heading in bolded font, on the website of each registry of  
347 deeds, and, as a condition of doing business in the commonwealth, on the website of any firm  
348 that offers e-recording services in the commonwealth.

349 (f) The Secretary of the Commonwealth shall promptly notify all firms that offer e-  
350 recording services in the commonwealth of the provisions of subsections (a), (b), (c), (d) and (e).

351 (g) The Attorney General shall make available to all registers, to land court, superior  
352 court, members of the Massachusetts bar, and on the Attorney General’s website, referral forms  
353 for reporting violations of section 35A , of section 30 of chapter 2606 of the General Laws, and  
354 of any other violations of the General Laws that concern title to real property, together with  
355 instructions for completing and submitting such forms to the Attorney General’s office.

356 (h) The Attorney General may refer such cases for investigation and prosecution to the  
357 district attorney for the county or district in which a case arises.

358 (i) The Attorney General shall report to the legislature annually, within thirty (30) days of  
359 the end of each fiscal year, on (1) the number of referrals received during the preceding fiscal  
360 year for violations identified in (g) and the violations alleged; (2) the number and types of cases  
361 in which civil enforcement actions or criminal charges have been brought, whether by the

362 Attorney General's office or by a district attorney; and (3) the status and disposition of each such  
363 case, including sentences of restitution to victim(s) of foreclosure and attempted foreclosure and  
364 larceny and attempted larceny of real property and of prohibition from doing business in the  
365 commonwealth.

366 (j) The maximum amounts of all fines for violations of section 35A shall be adjusted  
367 annually on January 1 in accordance with the consumer price index as defined in section one of  
368 the Internal Revenue Code.

369 SECTION 12: Chapter 266 Section 30 subsection 5 is amended by striking out ",60 years  
370 of age or older, or of a person with a disability as defined in section 13K of chapter 265,"