

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jeffrey Rosario Turco*

*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 cimex lectularius.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey Rosario Turco</i>	<i>19th Suffolk</i>	<i>1/13/2025</i>

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

[Pin Slip]

**The Commonwealth of Massachusetts**

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

An Act relative to cimex lectularius.

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

1 Be it enacted by the Senate and House of Representatives in General Court assembled,  
2 and by the authority

3 of the same, as follows:

4 1

5 SECTION 1. (a) For purposes of this section the following words shall have the

6 2 following meanings, unless the context clearly requires otherwise:

7 3

8 “Bed bug” means an insect of the species “Cimex Lectularius,” commonly referred to as

9 4 a bed bug;

10 5

11           “Control” means the process required by a professional pesticide applicator to attempt to  
12           6 eliminate or manage an infestation of bed bugs by poisoning, spraying, fumigating,  
13 trapping or  
14           7 by any other recognized and lawful pest-elimination method, including repeated  
15 applications of  
16           8 any treatment, particularly to areas where bed bugs are likely to congregate, provided  
17 that the  
18           9 department of public health may recommend and issue standards on treatment methods  
19 as they  
20           10 see fit based on the availability of updated information and science. Control of bed  
21 bugs shall be  
22           11 deemed completed if there has been no evidence of bed bug activity for thirty (30)  
23 days after the  
24           12 last application of any treatment;  
25           1 of 6  
26           13  
27           “Infestation” means the presence of bed bugs, or signs of their presence, in a quantity  
28           14 large enough that the tenant of a dwelling unit has knowledge or should have  
29 knowledge of the

30 15 presence of bed bugs in the dwelling unit;

31 16

32 “Surrounding unit” means a unit or units that share a common wall or are located above

33 17 or below;

34 18

35 19

36 20

37 21

38 “Owner” and “Tenant” shall have the same meaning as defined in 105 CMR 410

39 “Certified Applicator” shall have the meaning provided in chapter 132B;

40 (b) This act shall not apply to dwellings containing one dwelling unit.

41 SECTION 2. (a) Notwithstanding any general or special law to the contrary, any tenant

42 22 that asserts that an infestation of bed bugs is present in the tenant’s dwelling unit shall:

43 (1)

44 23 immediately provide notice to the owner in writing after becoming aware of the

45 presence of bed

46 24 bugs; (2) allow the owner, as well as its agents, inspectors, certified applicators, and

47 contractors,

48           25 to enter the dwelling unit to perform inspections repairs, exterminations, and  
49 applications, upon  
50           26 not less than 24 hour notice; (3) within a reasonable period of time after receipt of  
51 notice from  
52           27 the certified applicator, comply with any and all protocols and instructions afforded to  
53 tenant by  
54           28 the certified applicator, including without limitation, encasing and sealing personal  
55 property in  
56           29 plastic bags, laundering personal property, removing personal property which may be  
57 to be  
58           30 infested with bed bugs; and removing unreasonable amounts of personal property  
59 which are  
60           31 deemed to be interfering with the proper treatment of the bed bugs by the certified  
61 applicator.

62           32 No tenant shall interfere with the certified applicator's performance of any  
63 extermination or  
64           33 inspection.

65           2 of 6

66           34

67 (b) Any tenant that fails to provide access to the dwelling unit, interferes with any  
68 35 inspection or extermination, or fails to comply with the protocols and/or instructions  
69 of the  
70 36 certified applicator, shall be responsible for any actual and consequential damages  
71 incurred by  
72 37 the owner as a result of such denials. In addition, an owner shall be entitled to the  
73 issuance of  
74 38 injunctive relief against any such tenant, including an order prohibiting a tenant from  
75 occupying  
76 39 a dwelling unit during the period that the certified applicator is performing any  
77 required  
78 40 exterminations.

79 41

80 SECTION 3. Notwithstanding any special or general law to the contrary, at such time as  
81 42 an owner shall have actual or constructive knowledge of the infestation of bed bugs in  
82 a dwelling  
83 43 unit, the owner shall be required to maintain the dwelling unit free of an infestation of  
84 bed bugs.

85 44

86           Within 5 business days of receiving a notice from any tenant of an infestation of bed  
87           45 bugs, the owner shall perform a visual inspection of the dwelling unit. In the event the  
88 owner  
89           46 observes the infestation of bed bugs in the dwelling unit, the owner shall commence  
90 the  
91           47 extermination protocol and notify the tenants of any surrounding units. In the event  
92 the owner is  
93           48 issued a citation by any state, city, or town inspector indicating the existence of bed  
94 bugs, the  
95           49 owner shall commence the extermination protocol.

96           50

97           In the event that an infestation is present in a dwelling unit within a building with a  
98           51 manager or organization of unit owners as defined by section 1 of chapter 183A of the  
99 General  
100           52 Laws, the owner of the infested unit shall immediately provide notice to the manager  
101 or  
102           53 organization of unit owners, who shall then provide notice in writing to the  
103 surrounding units.

104           54 An owner shall be deemed to have constructive knowledge of an infestation of bed  
105 bugs in the

106           55 event the owner is aware of an infestation of bed bugs in any surrounding unit.

107           3 of 6

108           56

109           SECTION 4. Notwithstanding any general or special law to the contrary, within 10

110           57 business days of actual or constructive knowledge of an infestation of bed bugs, the  
111 owner shall

112           58 retain the services of a certified applicator to inspect the dwelling unit to confirm the  
113 presence of

114           59 an infestation of bed bugs. In the event the certified applicator fails to observe an  
115 infestation of

116           60 bed bugs, the owner shall have no further obligation to perform further inspections for  
117 bed bugs

118           61 in the dwelling unit unless the tenant provides the owner with a written report from a  
119 certified

120           62 applicator identifying the existing of an infestation of bed bugs in the dwelling unit.

121           63

122           In the event a certified applicator identifies an infestation of bed bugs in a dwelling unit,

123           64 the owner shall perform such treatments and extermination services as may be  
124 required by the

125           65 certified applicator. The owner shall then perform such further treatments and  
126 exterminator

127           66 services as may be required by the certified applicator until such time as the control of  
128 the bed

129           67 bugs shall be deemed to be completed.

130           68

131           The owner shall perform a visual inspection for an infestation of bed bugs no later than

132           69 30 days after the certified applicator indicates that the control of the bed bugs has been

133           70 completed. In the event that the owner fails to observe the presence of bed bugs at

134 such

135           71 inspection, the extermination of bed bugs shall be complete.

136           72

137           SECTION 5. Notwithstanding any general or special law to the contrary, prior to

138           73 entering into a lease agreement with a tenant for an unoccupied unit, an owner shall

139 perform a

140           74 visual inspection of the dwelling unit that is subject to said lease and verify in writing

141 to the

142 75 tenant that the dwelling unit is free of an infestation of bed bugs.

143 76

144 In the event the owner observes the presence of any bed bugs or other evidence of the

145 77 existence of bed bugs in the dwelling unit upon visual inspection, the owner shall

146 commence the

147 4 of 6

148 78 extermination protocol set forth in sections 2 and 3 of this act before the lease

149 agreement is

150 79 signed.

151 80

152 In the event a lease agreement is entered into by an owner and tenant and the owner fails

153 81 to provide written verification that the dwelling unit is free of an infestation of bed

154 bugs at time

155 82 of signing, the tenant shall not be held liable for any actual or consequential damages

156 caused by

157 83 an infestation of bed bugs if said infestation is confirmed within 30 days of signing.

158 84

159 SECTION 6. Notwithstanding any general or special law to the contrary, no owner shall

160           85 be liable for any actual or consequential damages caused by an infestation of bed bugs  
161 unless the

162           86 owner fails to comply with the requirements of this act.

163           87

164           Nothing herein shall prevent the owner and tenant from entering into an agreement

165           88 assigning other duties and obligations in relation to the costs and duties pertaining to  
166 bed bug

167           89 controls.

168           90

169           SECTION 7. Notwithstanding any general or special law to the contrary, the department

170           91 of public health shall prepare an information sheet that describes bed bugs and  
171 explains how bed

172           92 bug infestations spread. The information sheet may contain additional information the

173           93 department deems necessary and shall be updated by the department as new  
174 information

175           94 concerning bed bugs becomes available.

176           95

177           (a) Notwithstanding the above, the information sheet shall contain the following

178 96 information: (1) specific facts about bed bugs, including its appearance, breeding and  
179 feeding

180 97 habit; (2) tenant behaviors that are risk factors for attracting and supporting the  
181 presence of bed

182 98 bugs such as, but not limited to, purchasing renovated mattresses, used furniture or  
183 pre-owned

184 99 clothing, and travel to tropical climates without proper precautions; (3) measures that  
185 may be

186 5 of 6

187 100 taken to prevent and control bed bugs in a residential setting including professional  
188 pest control

189 101 exterminating, cleaning the dwelling space and mattresses, and laundering bedclothes  
190 and

191 102 clothing; (4) in conspicuous form, a statement describing the legal rights and  
192 obligations

193 103 imposed on tenants and owners per this act.

194 104

195 (b) The department shall make the information sheet available online to owners, tenants,

196 105 and members of the general public, in a form suitable for downloading and printing  
197 by owners

198 106 for their use in tenant bed bug education.

199 107

200 (c) The department shall make the information sheet available in both English and

201 108 Spanish languages.

202 109

203 (d) The information sheet shall serve as an informational document only, and nothing

204 110 therein shall be construed as binding on or affecting judicial determination related to

205 this act.

206 111 The information sheet shall not be deemed to be medical advice.

207 112

208 (e) Any owner entering into a lease agreement with a tenant shall provide a copy of the

209 113 information sheet at the time of the lease signing.

210 6 of