SENATE DOCKET, NO. 793 FILED ON: 1/20/2011

SENATE . . . . . No. 759

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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 the proximity of storage facilities utilized in possession of land or tenement cases.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sal N. DiDomenico	*Middlesex, Suffolk, and Essex*
James B. Eldridge	

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By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 759) of Sal N. DiDomenico and James B. Eldridge for legislation relative to the proximity of storage facilites utilized in possession of land or tenement cases. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the proximity of storage facilities utilized in possession of land or tenement cases.

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. Subsection (a) of section 4 of chapter 239 of the General Laws, as most recently amended by chapter 393 of the acts of 2010, is hereby further amended by striking out the last sentence and inserting in place thereof the following three sentences:--

For the purposes of this section a "licensed public warehouser" is a warehouser licensed and bonded pursuant to section 1 of chapter 105 as set forth in Section 4 (b). In addition, a "licensed public warehouser" and "a warehouser or other storage facility of the defendant's choosing" shall be located in the commonwealth and within a 20 mile radius of the land or tenements from which the personal property is removed. In circumstances where a licensed public warehouser is designated for the storage of the defendant's personal property and no licensed public warehouser is located within a 20 mile radius of the land or tenements from which the personal property is removed, the officer shall cause it to be stored in the licensed public warehouse closest to the land or tenements from which the personal property is removed.