

# Massachusetts House of Representatives

## Bill Summary

**Bill #:** H.5358

**Title:** An Act authorizing the city of Newton to place municipal charges liens on certain properties in the city of Newton for nonpayment of any local charge, fee or fine

**Sponsor:** Rep. John Lawn and Rep. Greg Schwartz

**Committee:** Municipalities and Regional Government

**Hearing Date:** May 13, 2026

**Similar bills:** H.4603 would authorize the city of Revere to establish penalties and liens for noise ordinance violations.

**Current Law:** Mass. General Laws Chapter 59, Section 53 requires the assessors in a city or town to send a list of taxes, together with their warrant, to the collector of taxes. A separate list is needed if there is also a fire, water, light or improvement district in the municipality.

MGL Chapter 40, Section 21D governs the noncriminal disposition of ordinance, by-law, rule or regulation violations.

MGL Chapter 40U governs the imposition of municipal fines, procedures for the collection and payment of fines, administrative disposition of noncriminal violations, how to request a municipal hearing and the appeals process. In a municipality. The City of Newton has not accepted this law.

Newton city ordinance Section 17-21 to 17-23 governs licensing, permits and civil fines generally. The ordinance follows the administrative procedures, right of appeal and hearing prescribed in MGL Chapter 40:21D.

**Summary:** Subsection (a) of Section 1 of the bill authorizes the city of Newton to impose a municipal charges lien on property located within the city if a local charge, fee or fine has not been paid by the due date. It defines what a "local charge, fee or fine" means for purposes of the act.

(b) states that such a lien would take effect when the city has recorded the parcel of land and name of the property owner associated with the unpaid local charge, fee or fine in the Middlesex County southern district registry of deeds.

(c) provides that if the charge, fee or fine secured by a lien remains unpaid when the city assessors prepare their real estate tax list and warrant, then that charge, fee or fine will be added to the property tax bill for the tax collector.

(d) states that if the property is tax exempt, then the unpaid charge, fee or fine shall be committed to the collector as if it were a tax.

(e) allows the lien to be discharged by filing a certificate from the city treasurer-collector with the registry of deeds stating that all charges, fees or fines, along with any interest and costs, have been paid or legally abated.

(f) requires the property owner to pay all costs of recording or discharging a lien imposed under this act.

(g) provides that before any lien is imposed for any local charge, fee or fine, the city council must vote to specify each type of charge, fee or fine to be collected under this act. This is necessary because there are at least 400 different fees and fines listed in the city ordinances.

Section 2 provides for this special act to take effect immediately.

**Notes:**

Approved by Newton City Council on November 3, 2025 by a counted vote of 21 yeas, 0 nays with 3 absent; Approved by Mayor Ruthanne Fuller on November 14, 2025.

According to the city, Somerville and Watertown also have this authority.