

HOUSE No. 1767

The Commonwealth of Massachusetts

PRESENTED BY:

Peter Capano

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 clarifying municipal authority regarding foreclosures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Peter Capano</i>	<i>11th Essex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>

HOUSE No. 1767

By Mr. Capano of Lynn, a petition (accompanied by bill, House, No. 1767) of Peter Capano and others relative to municipal authority regarding foreclosures. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act clarifying municipal authority regarding foreclosures.

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

1 SECTION 1. Section 127I of chapter 111 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by adding the following paragraph:-

3 Nothing in this chapter shall be read to preempt any municipal law requiring a cash
4 surety for a property identified as vacant or controlled by a foreclosing entity.

5 SECTION 2. Chapter 244, as so appearing, is hereby amended by inserting after section
6 40 the following section:-

7 Section 41. Except where explicitly denied by the General Laws, municipalities shall
8 have authority to enact laws for the purpose of minimizing foreclosures, ensuring the safety and
9 security of residents, preventing unnecessary displacement of residents, preventing unnecessary
10 post-foreclosure evictions and vacancies, and ensuring the upkeep of vacant properties and those
11 in foreclosure.