

SENATE No. 876

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 to maintain stable housing for families with pets in an economic crisis and beyond.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Anne M. Gobi</i>	<i>Worcester and Hampshire</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/30/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/7/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/14/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/14/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/15/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>3/15/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>3/21/2023</i>

SENATE No. 876

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 876) of Anne M. Gobi, Jack Patrick Lewis, Angelo J. Puppolo, Jr., James K. Hawkins and other members of the General Court for legislation to maintain stable housing for families with pets in an economic crisis and beyond. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 885 OF 2021-2022.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act to maintain stable housing for families with pets in an economic crisis and beyond.

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. Notwithstanding chapter 186 or 239 of the General Laws, as so appearing in
2 the 2022 Official Edition, or any general or special law, rule, regulation or order to the contrary,
3 no landlord shall initiate action to evict any person from a residential dwelling unit who has a pet
4 without written permission based solely on the presence of the pet until one year after a state of
5 emergency, unless the presence of pets is causing harm to the safety of other residents.

6 SECTION 2. No hotel, as defined in section 14 of chapter 140 shall unreasonably refuse
7 to allow pets, unless the pet has caused a demonstrated noise or safety threat, during a state of
8 emergency.

SECTION 3. Section 12 of Chapter 183A of the General Laws, as so appearing in the 2022 official edition, is hereby amended by inserting after the words “master deed”, in subsection (d), the following words:- However, no provision in the declaration, bylaws or rules and regulations of the organization of unit owners shall prohibit the keeping of certain types of dogs based on breed, size, weight or appearance.

SECTION 4. Section 3 of Chapter 23B of the General Laws, as so appearing in the 2022 Official Edition, is hereby amended by inserting after the second use of the word “elderly” under part “(u)” the following words:- , provided that no regulation, rule or policy shall prohibit the keeping of dogs based on the dog’s breed, size, weight or appearance.

SECTION 5. Section 3 of Chapter 23B is hereby further amended by inserting the following new subsection:-

(w) establish, conduct and maintain a program of pet ownership by residents of state-aided public housing, provided that no regulation, rule or policy shall prohibit the keeping of dogs based on the dog’s breed, size, weight or appearance.

SECTION 6. Chapter 175 of the General Laws is hereby amended by adding the following section:

Section 231. An insurance company offering homeowners insurance coverage or renters insurance coverage that issues a policy or contract insuring against liability for injury to a person or injury to or destruction of property arising out of the ownership or lease of residential property shall not refuse to issue, renew, cancel, or charge or impose an increased premium or rate of such a policy or contract based in whole or in part upon the harboring of a specific breed of the dog upon the property.

31 An insurance company may not ask or inquire about the breed or mixture of breeds of a
32 dog that is harbored or owner on an applicable property except to ask if the dog is known to be
33 dangerous or has been designated a dangerous dog pursuant to law.

34 Nothing in this section shall prohibit an insurer from refusing to issue or renew or from
35 canceling a contract or policy or from imposing an increased premium or rate for a policy or
36 contract if any dog being harbored on the property has been designated as a dangerous dog
37 pursuant to law.

38 SECTION 7. Section 32 of Chapter 121B of the General Laws, as so appearing in the
39 2022 Official Edition, is hereby amended by inserting the following new paragraph after
40 subsection (i):- In determining whether an applicant is eligible for tenancy in a property or if a
41 current tenant can remain in a property, no property owned, managed or operated by an authority
42 may make such a determination based on the breed, size, weight or appearance of a dog owned
43 or cared for by the applicant or household member.