

HOUSE No. 1278

The Commonwealth of Massachusetts

PRESENTED BY:

Carlo P. Basile

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 passage of the accompanying bill:

An Act Relative to the Nuisance Statute .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Carlo P. Basile	1st Suffolk
Angelo M. Scaccia	14th Suffolk
Marie P. St. Fleur	5th Suffolk
Thomas M. Menino	Mayor of Boston
Martin J. Walsh	13th Suffolk
Denise Provost	27th Middlesex
Stephen L. DiNatale	3rd Worcester
Kathi-Anne Reinstein	16th Suffolk
Peter J. Koutoujian	10th Middlesex
Kevin Aguiar	7th Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 313 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE NUISANCE STATUTE.

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. Chapter 139 of the General Laws, as appearing in the 2006 Official Edition, is hereby
2 amended by adding the following new section 4A:-

3 Section 4A. Vehicles used for prostitution, assignation or lewdness; nuisance.

4 In any city or town that accepts the provisions of this section, every vehicle within or upon which acts of
5 prostitution, assignation or lewdness are held or occur, shall be deemed a nuisance.

6 SECTION 2. Section 6 of said chapter 139, as so appearing, is hereby amended by inserting after the
7 word "commonwealth," the following:-

8 " or an appropriate designee of the city or town police department,"

9 and by inserting after the word "building" the word:- ", vehicle".

10 SECTION 3. Section 7 of said chapter 139, as so appearing, is hereby amended by inserting after the
11 word "premises" the words:- "or vehicle".

12 SECTION 4. Section 9 of said chapter 139, as so appearing, is hereby amended by inserting the
13 following new concluding sentence:-

14 "Any vehicle found by the court to be a nuisance or used in maintaining a nuisance within the meaning of
15 this chapter shall be subject to the same manner of order and judgment as all furniture, musical
16 instruments and movable property used in maintaining a nuisance and referenced herein, as provided
17 under this chapter, as long as the court determines in its discretion that the order and judgment is
18 appropriate and necessary to abate the nuisance and recover the costs of the proceedings."

19 SECTION 5. This act shall take effect upon its passage.