

HOUSE No. 1437

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

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:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/16/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/18/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/24/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>2/25/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>2/26/2021</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>2/26/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/26/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>3/9/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>3/15/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>3/30/2021</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>4/5/2021</i>

HOUSE No. 1437

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 1437) of David M. Rogers and others relative to housing and insurance coverage for certain pet owners. Housing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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 or any general or
2 special law, rule, regulation or order to the contrary, no landlord shall initiate action to evict any
3 person from a residential dwelling unit who has a pet without written permission based solely on
4 the presence of the pet until one year after the March 10, 2020 declaration of a state of
5 emergency caused by the 2019 novel coronavirus pandemic ends, unless the presence of pets is
6 causing harm to the safety of other residents.

7 SECTION 2. During the March 10, 2020 declaration of a state of emergency caused by
8 the 2019 novel coronavirus pandemic, no hotel, as defined in section 14 of chapter 140 shall
9 unreasonably refuse to allow pets, unless the pet has caused a demonstrated noise or safety
10 threat.

11 SECTION 3. Section 12 of Chapter 183A of the General Laws is hereby amended by
12 inserting after the words “master deed”, in subsection (d), the following words:- However, no

13 provision in the declaration, bylaws or rules and regulations of the organization of unit owners
14 shall prohibit the keeping of certain types of dogs based on breed, size, weight or appearance.

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

19 SECTION 5. Section 3 of Chapter 23B of the General Laws is hereby further amended by
20 inserting the following new subsection:- (w) establish, conduct and maintain a program of pet
21 ownership by residents of state-aided public housing, provided that no regulation, rule or policy
22 shall prohibit the keeping of dogs based on the dog’s breed, size, weight or appearance.

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

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

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

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