

**HOUSE . . . . . No. 02164**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Christopher G. Fallon*

*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 proximity of storage facilities utilized in possession of land or tenement cases.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Christopher G. Fallon</i>	<i>33rd Middlesex</i>
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex, Suffolk, and Essex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>

# HOUSE . . . . . No. 02164

By Mr. Fallon of Malden, a petition (accompanied by bill, House, No. 2164) of Wolf and others relative to the proximity of storage facilities utilized in possession of land or tenement cases Joint Committee on the Judiciary.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the proximity of storage facilities utilized in possession of land or tenement cases.

*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. Subsection (a) of section 4 of chapter 239 of the General Laws, as most recently  
2 amended by chapter 393 of the acts of 2010, is hereby further amended by striking out the last  
3 sentence and inserting in place thereof the following two sentences:--.

4 For the purposes of this section a "licensed public warehouse" is a warehouse licensed and  
5 bonded pursuant to section 1 of chapter 105 as set forth in Section 4 (b). In addition, a "licensed  
6 public warehouse" and "a warehouse or other storage facility of the defendant's choosing"  
7 shall be located in the commonwealth and within a 20 mile radius of the land or tenements from  
8 which the personal property is removed. In circumstances where a licensed public warehouse is  
9 designated for the storage of the defendant's personal property and no licensed public  
10 warehouse is located within a 20 mile radius of the land or tenements from which the personal

- 11 property is removed, the officer shall cause it to be stored in the licensed public warehouse
- 12 closest to the land or tenements from which the personal property is removed.