

**SENATE . . . . . No. 00854**

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The Commonwealth of Massachusetts

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PRESENTED BY:

***Richard J. Ross***

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*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 homestead declarations recording of deeds

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Richard J. Ross*

*Norfolk, Bristol, and Middlesex*

*Robert L. Hedlund*

*Plymouth and Norfolk*

*Bruce E. Tarr*

*First Essex and Middlesex*

# SENATE . . . . . No. 00854

By Mr. Ross, petition (accompanied by bill, Senate, No. 854) of Tarr, Hedlund and Ross for legislation relative to homestead declarations recording of deeds [Joint Committee on the Judiciary].

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
SENATE  
, NO. 1590 OF 2009-2010.]

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to homestead declarations recording of deeds

□.

*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 188 of the General Laws, is hereby amended by striking out section  
2 2 in its entirety and inserting in its place the following new section:-

3 Section 2. Notwithstanding the rights of any mortgagee, upon the recording of any deed  
4 accompanied by an affidavit, signed, sealed and acknowledged that the conveyed premises are  
5 the primary residence of the grantee, an estate of homestead shall be created in the conveyed  
6 property by the grantee. To acquire a claim of homestead in a manufactured home, the fact that it  
7 is designed to be held as such shall be set forth in writing duly signed, sealed and acknowledged  
8 and filed at the city or town clerk’s office in the city or town in which the manufactured home is

9 located. The acquisition of a new estate or claim of homestead shall defeat and discharge any  
10 such previous estate.