HOUSE DOCKET, NO. 2443 FILED ON: 1/17/2013

HOUSE . . . . . No. 1517

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Murphy

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:

An Act relative to landlords accountability with regard to drug houses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James M. Murphy	*4th Norfolk*

HOUSE DOCKET, NO. 2443 FILED ON: 1/17/2013

HOUSE . . . . . No. 1517

By Mr. Murphy of Weymouth, a petition (accompanied by bill, House, No. 1517) of James M. Murphy for legislation to establish penalties for landlords knowingly providing premises used for illegal drug purposes. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3362* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to landlords accountability with regard to drug houses.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 139 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after section 19 the following section:-

Section 19A. (a) An owner of a residential dwelling unit shall not knowingly and intentionally rent, lease, profit from, or make available for use, with or without compensation, the dwelling unit which is used for the unlawfully manufacturing, storing, distributing, or using a controlled substance as set forth in section 31 of chapter 94C; provided, however that no housing authority shall be an owner under this section.

(b) Any landlord who violates subsection (a), and who knew or reasonably should have known that said dwelling unit is being used for unlawfully manufacturing, storing, distributin, or using a controlled substance shall be subject to a civil penalty of not more than the greater of: $1,000 for the first offense; $5,000 for the second offense; and $10,000 for each offense after; and possible forfeiture of said dwelling. If a civil penalty is calculated under this subsection and there is more than 1 defendant, the court may apportion the penalty between multiple violators, but each violator shall be jointly and severally liable for the civil penalty under this subsection.

(c) Penalties paid under this section shall be collected during time of sentencing and disbursed to the arresting agency to be used for drug awareness education or substance abuse counseling or advocacy for youths, parents and other interested adults.