HOUSE DOCKET, NO. 2508 FILED ON: 1/20/2011

HOUSE . . . . . No. 2054

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 concerning the use of certain insurance underwriting guidelines pertaining to dogs harbored upon the insured property.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Anne M. Gobi	*5th Worcester*
Todd M. Smola	*1st Hampden*
Sarah K. Peake	*4th Barnstable*

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HOUSE . . . . . No. 2054

By Ms. Gobi of Spencer, a petition (accompanied by bill, House, No. 2054) of Anne M. Gobi, Todd M. Smola and Sarah K. Peake relative to the use of certain insurance underwriting guidelines for homeowners with dogs living on such insured property. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *913* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act concerning the use of certain insurance underwriting guidelines pertaining to dogs harbored upon the insured property.

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

Section 1. As used in this act:

"Insurer" means any insurer engaged in the business of homeowners.

Section 2. No insurance company offering homeowners insurance coverage in Massachusetts issuing a policy or contract insuring against liability for injury to any person or injury to or destruction of property arising out of ownership or lease of residential property shall refuse to issue or renew, cancel or charge or impose an increased premium or rate of such a policy or contract based in whole or in part, upon the harboring of any specific breed or breeds of dog upon such real property.

Section 3. If any such dog has been designated as a dangerous dog pursuant to current statutes, the provisions in this section shall in no manner prohibit an insurer from refusing to issue or renew or from canceling any such contact or policy, nor from imposing an increased premium or rate for such a policy or contract.

Section 4. This act shall take effect on the 60th day after enactment.

Section 5. All dog bites/attacks that result in medical attention must be reported to: the Massachusetts Department of Public Health (DPH) within 60 days of the incident, using a standardized format.

The report shall include, but not be limited to, the following information:

- Time, date and location of incident
- Name, address, phone number of the dogs owner(s) and the same for the victim(s) of the attack
- The breed of dog: Actual breed, mixed breed including two breeds, beyond two breeds the breed should be listed as unknown mixed breed.
- A narrative description of the circumstances of the act, detailing the events involved in the incident.

Section 6. DPH shall compile statistics regarding the nature of each dog incident, which shall be made available to all insurers and the general public upon request.

Section 7. Failure to report such dog bite/attack within the required time shall release the insurer from the liability of paying for damages incurred.