



**SUPPORT HB1038 – An Act to Prohibit Housing Discrimination
Against Responsible Dog Owners
Rep. Jack Lewis (D)**

Referred to Joint Committee on Financial Services

What This Bill Does:

This bill ensures that certain types of housing agreements (such as condo bylaws, some leases), as well as public housing authorities, cannot discriminate against, or include language that limits, a tenant or resident's ability to live in that type of housing based on the size, weight, or perceived breed of a dog owned by a tenant/resident.

Why You Should Support This Bill:

This bill would ban discrimination against a responsible dog owner based on their dog's size, weight, or breed. This bill does not apply to multi-unit dwellings containing 3 apartments or less or any single dwelling unit in a two-family dwelling when the other unit is occupied by the owner. This bill also prohibits an insurance company from refusing to issue or renew, cancel or charge or impose an increased premium of such a policy based in whole or in part because of the specific breed of dog on the property.

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners

Mrs. Rebecca Leonard, 5inwayland@gmail.com, 508-653-6139

Ms. Luanne Witt, luanne.witt@cagents.com; 508-838-3494

04/03/19

HOUSE No. 1038

The Commonwealth of Massachusetts

PRESENTED BY:

Jack Patrick Lewis

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 prohibit housing discrimination against responsible dog owners.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Peter Capano</i>	<i>11th Essex</i>

<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Daniel R. Cullinane</i>	<i>12th Suffolk</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>

HOUSE No. 1038

By Mr. Lewis of Framingham, a petition (accompanied by bill, House, No. 1038) of Jack Patrick Lewis and others for legislation to prohibit housing discrimination against responsible dog owners. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to prohibit housing discrimination against responsible dog owners.

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 . Section 12 of Chapter 183A of the General Laws is hereby amended by
2 inserting after the words “master deed” the following words:- However, no provision in the
3 declaration, bylaws or rules and regulations of the organization of unit owners shall prohibit the
4 keeping of certain types of dogs based on breed, weight or size.

5 SECTION 2. Chapter 186 of the General Laws is hereby amended by adding the
6 following section:-

7 Section 16A: Leases or rental agreements regulating occupancy of pets

8 Section 16A. Any provision of a lease or other rental agreement relating to real property
9 relating to the keeping of pets shall be deemed to be against public policy and void if the lease or
10 other rental agreement prohibits the keeping of certain types of dogs based on breed, size or
11 weight.

12 This section shall not apply to:

13 a. Multi-unit dwellings containing three apartments or less.

14 b. The leasing of a single dwelling unit in a two family dwelling, the other
15 occupancy unit of which is occupied by the owner as his residence.

16 SECTION 3 . Section 3 of Chapter 23B of the General Laws is hereby amended by
17 inserting after the second use of the word “elderly” under part “(u)” the following words:-

18 Provided that no regulation, rule or policy shall prohibit the keeping of dogs based on the dog’s
19 breed, size or weight.

20 SECTION 4 . Chapter 175 of the General Laws is hereby amended by adding the
21 following section:

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

28 Nothing in this section shall not prohibit an insurer from refusing to issue or renew or
29 from canceling a contract or policy or from imposing an increased premium or rate for a policy
30 or contract if any such dog being harbored on the property has been designated as a dangerous
31 dog pursuant to law.

32 SECTION 5 . Section 3 of Chapter 23B of the General Laws is hereby amended by
33 inserting the following:- (w) establish, conduct and maintain a program of pet ownership by
34 residents of state-aided public housing. Provided that no regulation, rule or policy shall prohibit
35 the keeping of dogs based on the dog's breed, size or weight.

36 SECTION 5. Section 32 of Chapter 121B of the General Laws is hereby amended by
37 inserting the following after the words "(i) The applicant or any household member does not
38 intend to occupy public housing, if offered, as his primary residence":- However, in determining
39 whether an applicant is eligible for tenancy in a property or if a current tenant can remain in a
40 property, no property owned, managed or operated by an authority may make such a
41 determination based on the size, weight or breed of a dog owned or cared for by the person.