

# HOUSE . . . . . No. 3195

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By Mr. Lawton of Brockton, petition of Mark E. Lawton that provision be made for limited and automatic homestead protection. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Eighty-Two.

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AN ACT PROVIDING LIMITED, AUTOMATIC HOMESTEAD PROTECTION.

*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 34 of chapter 235 of the General Laws, as most recently  
2 amended by chapter 501 of the Acts of 1975, is hereby further  
3 amended by inserting after clause Fourteenth the following  
4 clause:—

5 Fourteenth A, Twenty thousand dollars of the value of the  
6 equity in a personal residence, which term shall include a mobile  
7 home, provided that such is used as a principal residence. The  
8 exemption herein provided shall not exceed the amount specified  
9 when there are one or more owners of the personal residence  
10 exempted, provided, however, that if the debtor asserting the  
11 exemption hereunder is sixty-five years of age or older, the amount  
12 of the exemption shall be forty thousand dollars. Nothing herein  
13 shall be construed to prevent the mortgaging of real property  
14 which might otherwise be claimed as exempt or the enforcement of  
15 such mortgage regardless of whether such mortgage is a first or  
16 subsequent mortgage.

