

SENATE No. 913

By Ms. Jacques, a petition (accompanied by bill, Senate, No. 913) of Cheryl A. Jacques, Richard R. Tisei, Andrea F. Nuciforo, Jr., and other members of the General Court for legislation to allow automatic exemptions of estates of homestead from levy or execution in a personal residence. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT RELATIVE TO AUTOMATIC EXEMPTIONS FROM LEVY OR EXECUTION IN A PERSONAL RESIDENCE.

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

- 1 Chapter 188 of the General Laws is hereby amended by striking
- 2 out section 2 and inserting the following section:—
- 3 Section 2. The exemptions of estates of homesteads in real
- 4 property allowed under this section shall apply automatically
- 5 without the requirement of any designation or declaration and
- 6 shall be enjoyed by all persons unless disallowed by order of a
- 7 court of competent jurisdiction. The acquisition of a new estate or
- 8 claim of homestead shall defeat and discharge any such previous
- 9 estate.

