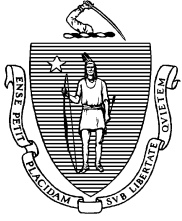


SENATE NO. 841



AN ACT INCREASING THE VALUE AND KIND OF PERSONAL PROPERTY EXEMPT FROM EXECUTION

*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 34 of Chapter 235 of the General Laws, as appearing in the 2003 Official
2 Edition, is hereby amended by striking out Paragraph First and inserting, in its place, the following:
- 3 First, The necessary wearing apparel, beds and bedding for the debtor and the debtor's family; one
4 heating unit used for warming the dwelling house; one stove used primarily for the personal,
5 family, or household use of the debtor or a dependent of the debtor; one refrigerator so used; one
6 freezer so used; one hot water heater so used; and the amount each month, not exceeding two
7 hundred fifty dollars, reasonably necessary to pay for fuel, heat, refrigeration, water, hot water and
8 light for the debtor and the debtor's family.
- 9 SECTION 2. Said Section 34 is hereby further amended by replacing, in Paragraph Second, the words
10 "three thousand dollars" with the words "fifteen thousand dollars".

11 SECTION 3. Said Section 34 is hereby further amended by replacing, in Paragraph Third, the words
12 “two hundred dollars” with the words “five hundred dollars”.

13 SECTION 4. Said Section 34 is hereby further amended by replacing, in Paragraph Fifth, the words
14 “five hundred dollars” with the words “three thousand five hundred dollars”.

15 SECTION 5. Said Section 34 is hereby further amended by replacing, in Paragraph Sixth, the words
16 “five hundred dollars” with the words “one thousand dollars”.

17 SECTION 6. Said Section 34 is hereby further amended by replacing, in Paragraph Seventh, the words
18 “three hundred dollars” with the words “six hundred dollars”.

19 SECTION 7. Said Section 34 is hereby further amended by replacing, in Paragraph Ninth, the words
20 “five hundred dollars” with the words “one thousand five hundred dollars”.

21 SECTION 8. Said Section 34 is hereby further amended by replacing, in Paragraph Fifteenth, the
22 words “one hundred and twenty-five dollars” with the words “two hundred fifty dollars”.

23 SECTION 9. Said Section 34 is hereby further amended by replacing, in Paragraph Fourteen, the
24 words “two hundred dollars” with the words “two thousand five hundred dollars”.

25 SECTION 10. Said Section 34 is hereby further amended by replacing, in Paragraph Fifteenth, the
26 words “one hundred and twenty-five dollars” with the words “five hundred dollars”.

27 SECTION 11. Said Section 34 is hereby further amended by replacing, in Paragraph Sixteenth, the
28 words “seven hundred dollars” with the words “seven thousand five hundred dollars”.

29 SECTION 12. Said Section 34 is hereby further amended by inserting the following two paragraphs
30 after Paragraph Sixteenth, as so amended:

31 Seventeenth, The debtor’s aggregate interest in any personal property, not to exceed in value
32 one thousand dollars plus up to five thousand dollars of any unused dollar amount of the
33 aggregate exemptions provided under paragraphs Second, Fifth and Sixteenth of this Section.

34 Eighteenth, The debtor's aggregate interest, not to exceed one thousand two hundred twenty-
35 five dollars in value, in jewelry held primarily for the personal, family, or household use of the
36 debtor or a dependent of the debtor.

37 SECTION 13. Said Section 34 is hereby amended by inserting, in Paragraph Eighteenth thereof, the
38 words "spouse or a" before the word "dependent".

39 SECTION 14. Said Section 34 is hereby further amended by inserting immediately after Paragraph
40 Eighteenth thereof, the following new Section 34a:

41 Section 34a:

42 (a) On April 1, 2007, and at each three-year interval ending on April 1 thereafter, the dollar
43 amounts of exemptions provided in M.G.L. ch. 235, Section 34 in effect immediately
44 before that date shall be adjusted as provided in subdivision (b).

45 (b) The appropriate agency shall determine the amount of the adjustment based on the
46 change in the annual Massachusetts Consumer Price Index for All Urban Consumers,
47 published by the Department of Industrial Relations, Division of Labor Statistics, for the
48 most recent three-year period ending on December 31 preceding the adjustment, with
49 each adjusted amount rounded to the nearest twenty-five dollars (\$25).

50 (c) Beginning April 1, 2007, the appropriate agency shall publish a list of the current dollar
51 amounts of exemptions provided in M.G.L. ch. 235, Section 34, together with the date of
52 the next scheduled adjustment.

53 (d) Adjustments made under subdivision (a) do not apply with respect to cases commenced
54 before the date of the adjustment, subject to any contrary rule applicable under the federal
55 Bankruptcy Code.

56

57 SECTION 15. Section 28 of Chapter 246 of the General Laws, as so appearing, is hereby amended by
58 replacing, in the first sentence thereof, the words “one hundred twenty-five dollars” with the words
59 “two hundred fifty dollars”.

60 SECTION 16. Section 28A of Chapter 246 of the General Laws, as so appearing, is hereby amended
61 by replacing the words “five hundred dollars” with the words “one thousand dollars” each time they
62 appear.