

**HOUSE . . . . . No. 1749**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jeffrey N. Roy*

*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 concerning payments on personal injury protection benefit claims.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>1/13/2023</i>

**HOUSE . . . . . No. 1749**

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By Representative Roy of Franklin, a petition (accompanied by bill, House, No. 1749) of Jeffrey N. Roy relative to payments on personal injury protection benefit claims. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

An Act concerning payments on personal injury protection benefit claims.

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

1           The fourth paragraph of section 34M of chapter 90 of the General Laws, as appearing in  
2 the 2018 Official Edition, is hereby amended by adding the following two sentences:-

3           If after the commencement of any such action, but before judgment, the insurer makes  
4 payment of the amount that is due and payable, the court may still assess costs and reasonable  
5 attorney’s fees for the bringing and prosecuting of the action, but only up until the time of such  
6 payment. Interest, running from the commencement of the action shall be assessed on all  
7 amounts adjudged to be due and payable in any such action, at the same rate as interest is  
8 assessed for breach of contract actions in the commonwealth.